

The Gazette



of India

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NOTICE

The undermentioned Gazettes of India Extraordinary were published upto the 23rd September 1958:—

Issue No.	No. and date	Issued by	Subject
193	S.O. 1936, dated 19th September, 1958.	Ministry of Commerce and Industry.	List of nominated members of the Coffee Board.
194	S.O. 1937, dated 22nd September, 1958.	Do. . . .	Appointment of a body of persons for investigating the affairs of M/s. Alberton West and Co. Ltd., Kanpur.
195	S.O. 1987, dated 23rd September, 1958.	Ministry of Food & Agriculture, (Deptt. of Food).	Authorisation to determine the average market rates of rice and paddy in the Bombay State.

Copies of the Gazettes Extraordinary mentioned above will be supplied on indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of these Gazettes.

PART II—Section 3—Sub-section (ii)

6701

Statutory orders and notifications issued by the Ministries of the Government of India (other than the Ministry of Defence) and by Central Authorities (other than the Administrations of Union Territories).

DEPARTMENT OF PARLIAMENTARY AFFAIRS

New Delhi, the 26th August 1958

S.O. 1993.—In exercise of the powers conferred by section 11 of the Salaries and Allowances of Officers of Parliament Act, 1953 (20 of 1953), the Central Government, in consultation with the Chairman of the Council of States and the Speaker of the House of the People, hereby makes the following amendment to the Officers of Parliament (Travelling and Daily Allowances) Rules, 1956, published with the

notification of the Government of India in the Department of Parliamentary Affairs No. S.R.O. 1356, dated the 1st June, 1956, namely:—

In the said Rules, the following rule shall be inserted after rule 4 namely:—

"4A *Payment of advance of travelling allowance and daily allowance.*—
There may be paid to an Officer of Parliament an advance of any travelling allowance or daily allowance admissible to him under these Rules".

[No. Admn. 3(203)/58.]

KAILASH CHANDRA, Secy.

MINISTRY OF HOME AFFAIRS

New Delhi-1, the 27th September 1958

S.O. 1994.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby directs that the following further amendments shall be made in the Schedule to the Central Civil Services (Classification, Control and Appeal) Rules, 1957, published with the notification of the Government of India in the Ministry of Home Affairs No. S.R.O. 607 dated the 28th February, 1957, namely:—

In the said Schedule—

1. in Part I, after the existing entry "26. Railway Inspectorate Service (Class I)", the following entry shall be inserted, namely:—

"27. Indian Foreign Service Branch(B):—

(a) General Cadre, Grade I;

(b) General Cadre, Grade II."

2. in Part II, after "Indian Salt Service, Class II" in column 1 and the entries relating thereto in columns 2 to 4, the following shall be inserted, namely:—

1	2	3	4
Indian Foreign Service President (B):—	President		All
(a) General Cadre, Grade III;	In respect of a member of Service serving in:—		
(b) Cypher Sub-cadre, Grade I			
	(i) a Ministry or Department of Government	Secretary in the (i) Ministry or Department	
	(ii) an Indian Mission/Post abroad—	Head of Mission/(ii) Post, if he is also "Head of Department"; otherwise, Secretary, Ministry of External Affairs.	
Indian Foreign Service President (B):—	President		All
(a) General Cadre, Grade IV;	In respect of a member of the Service serving in:—		
(b) Stenographers Sub-cadre, Grades I & II;	(i) a Ministry or Department of Government—	Secretary in the (i) to Ministry or (iii) Department.	
	(ii) an Indian Mission/Post abroad—	Head of Mission/Post, (i) to (ii) if he is also "Head of Department", Otherwise, Secretary Ministry of External Affairs.	

3. in Part III, after "Posts and Telegraphs Accountant Service—Senior Accountant; Junior Accountant." in Column 1 and the entries relating thereto in columns 2 to 5, the following shall be inserted, namely:—

1	2	3	4	5
Indian Service (B):—	Foreign Deputy Secretary, Ministry of External Affairs	Deputy Secretary of Ministry of External Affairs	All;	Secretary, Ministry of External Affairs.
(a) General Cadre, Grades V and VI;		In respect of a member of the Service serving in:—		
(b) Cypher Sub-cadre, Grade III		(i) a Ministry or Department of Government—	Deputy Secretary (i) to Secretary (iii) in the Ministry or Department.	Secretary in the Ministry or Department.
		(ii) an Indian Mission/Post abroad—	Head of (i) Chancery, to if he is (iii) of the rank of First Secretary or above; otherwise, Head of Mission/Post.	Secretary, of Ministry of External Affairs.

[No. F. 7/13/58-Ests(A).]

P. SITARAMAN, Dy. Secy.

New Delhi, the 27th September 1958

S.O. 1995.—In exercise of the powers conferred by entry 3(b) of the table annexed to Schedule I to the Indian Arms Rules, 1951, the Central Government is pleased to specify Maharaj Kumar Chandikeshwar Saran Singh Deo, second son of the Maharaja of Surguja, for the purpose of that entry and directs that the exemption shall be valid in respect of one rifle/gun and one pistol/revolver.

[No. 16/9/58-Police-IV.]

C. P. S. MENON, Dy. Secy.

MINISTRY OF FINANCE
(Department of Economic Affairs)

New Delhi, the 24th September 1958

S.O. 1996 —Statement of the Affairs of the Reserve Bank of India, as on the 19th September, 1958.

BANKING DEPARTMENT

Liabilities	Rs.	Assets	Rs.
Capital paid up	5,00,00,000	Notes	25,16,18,000
Reserve Fund	80,00,00,000	Rupee Coin	2,86,000
National Agricultural Credit (Long-term Operations) Fund	25,00,00,000	Subsidiary Coin	3,58,000
National Agricultural Credit (Stabilisation) Fund	3,00,00,000	Bills Purchased and Discounted :—	
		(a) Internal . . . . .	..
Deposits :—		(b) External . . . . .	..
(a) Government		(c) Government Treasury Bills	3,27,83,000
(1) Central Government	53,17,79,000	Balances held abroad*	15,30,54,000
(2) Other Governments	20,32,98,000	Loans and Advances to Governments	13,07,85,000
(b) Banks	98,18,46,000	Other Loans and Advances†	54,69,43,000
(c) Others	113,88,17,000	Investments	301,07,17,000
Bills Payable	10,33,29,000	Other Assets	9,05,07,000
Other Liabilities	12,74,82,000		
TOTAL	422,15,51,000	TOTAL	422,15,51,000

* Includes Cash & Short term Securities.

† The item 'Other Loans and Advances' includes Rs. 3,43,00,000/- advanced to scheduled banks against usance bills under Section 17 (4) (c) of the Reserve Bank of India Act.

Dated the 24th Day of September 1958.

An Account pursuant to the Reserve Bank of India Act, 1934, for the week ended the 19th day of September 1958.

ISSUE DEPARTMENT

Liabilities	Rs.	Rs.	Assets	Rs.	Rs.
Notes held in the Banking Department	25,61,18,000		A. Gold Coin and Bullion :—		
Notes in circulation	<u>1529,72,89,000</u>		(a) Held in India	117,76,03,000	
Total Notes issued		1555,34,07,000	(b) Held outside India . . . . .	..
			Foreign Securities	<u>169,67,56,000</u>	
			TOTAL OF A		287,43,59,000
			B. Rupee Coin		138,52,46,000
			Government of India Rupee Securities		1129,38,02,000
			Internal Bills of Exchange and other commercial paper . . . . .		..
TOTAL—LIABILITIES		<u>1555,34,07,000</u>	TOTAL—ASSETS		<u>1555,34,07,000</u>

Dated the 24 th day of September 1958.

H. V. R. IENGAR,
Governor.

[No. F. 3 (2)-F.1/58.]

A. BAKSI, Jt. Secy.

MINISTRY OF COMMERCE & INDUSTRY

New Delhi, the 29th September 1958

S.O. 1997.—In exercise of the powers conferred by sub-section (3) of section 18 of the Forward Contracts (Regulation) Act, 1952 (74 of 1952), the Central Government hereby makes the following amendment in the notification of the Government of India in the Ministry of Commerce and Industry, S.O. 1468, dated the 19th July, 1958, namely:—

In the said notification—

for the word and figure “section 17” the words, figures and brackets “sub-sections (1) and (2) of section 17” shall be substituted.

2. The amendment hereby made shall be deemed to have come into force on and from the 19th July, 1958.

[No. 34(21)-TMP/58.]

S.O. 1998.—In exercise of the powers conferred by sub-section (3) of section 18 of the Forward Contracts (Regulation) Act, 1952 (74 of 1952), the Central Government hereby makes the following amendment in the notification of the Government of India in the Ministry of Commerce and Industry, S.O. 1384-C dated the 17th July, 1958, namely:—

In the said notification—

for the word and figure “section 17” the words, figures and brackets “sub-sections (1) and (2) of section 17” shall be substituted.

2. The amendment hereby made shall be deemed to have come into force on and from the 17th July, 1958.

[No. 34(21)-TMP/58.]

S.O. 1999.—In exercise of the powers conferred by sub-section (3) of section 18 of the Forward Contracts (Regulation) Act, 1952 (74 of 1952), the Central Government hereby makes the following amendment in the notification of the Government of India in the Ministry of Commerce and Industry, S.O. 1577, dated the 30th July, 1958, namely:—

In the said notification—

for the word and figure “section 17” the words, figures and brackets “sub-sections (1) and (2) of section 17” shall be substituted.

2. The amendment hereby made shall be deemed to have come into force on and from the 30th July, 1958.

[No. 34(21)-TMP/58.]

K. V. VENKATACHALAM, Jt. Secy.

ORDERS

New Delhi, the 23rd September 1958

S.O. 2000/IDRA/6/9/Am.(4).—In exercise of the powers conferred by section 6 of the Industries (Development and Regulation) Act, 1951 (65 of 1951), the Central Government hereby appoints Shri A. N. Ahuja as a member of the Development Council established by the Order of the Government of India in the late Ministry of Heavy Industries S.R.O. 958, dated the 19th March, 1957, for the scheduled industries engaged in the manufacture and production of Internal Combustion Engines and Power Driven Pumps and Air Compressors and Blowers, and directs that the following amendment shall be made in the said Order, namely:—

In paragraph 1 of the said Order under the category of members “being persons who in the opinion of the Central Government have special knowledge of matters relating to the technical or other aspects of the said scheduled industries” after entry No. 13A relating to Dr. J. W. Whitaker the following entry shall be inserted, namely:—

“13B. Shri A. N. Ahuja, C/O. Messrs Ahuja (Refrigeration) Private Ltd., Lakshmi Insurance Buildings, New Delhi—1.”

[No. 4(28)IA(II)(G)/58.]

S.O. 2001/IDRA/6/6/Am.(8).—In exercise of the powers conferred by section 6 of the Industries (Development and Regulation) Act, 1951 (65 of 1951), the Central Government hereby appoints Shri Mohan T. Advani as a member of the Development Council established by the Order of the Government of India in the late Ministry of Heavy Industries S.R.O. 409, dated the 1st February, 1957, for the scheduled industries engaged in the manufacture and production of telephones, telegraph apparatus and wireless communication apparatus, electric lamps, electric fans, batteries, dry cells and storage, radio receivers and house service meters and panel instruments, and directs that the following amendment shall be made in the said Order, namely:—

In paragraph 1 of the said Order under the category of members "being persons who in the opinion of the Central Government have special knowledge of matters relating to the technical or other aspects of the said scheduled industries" after entry No 11F relating to Shri A. C. Ramchandani the following entry shall be inserted, namely:—

"11G. Shri Mohan T. Advani, Managing Director, Messrs Blue Star Engineering Co. (Bombay) Ltd., Kasturi Buildings, Jamshedji Tata Road, Bombay-1."

[No. 4(28)IA(II)(G)/58.]

A. K. CHAKRAVARTI, Under Secy.

ORDER

New Delhi, the 24th September 1958

S.O. 2002.—In exercise of the powers conferred by section 6 of the Industries (Development and Regulation) Act, 1951 (65 of 1951) read with rules 4 and 5 of the Development Councils (Procedural) Rules, 1952, the Central Government hereby appoints the following persons to be members of the Development Council for the scheduled industry engaged in the manufacture and production of sugar in place of the members whose term of office has expired by efflux of time or otherwise :—

- | | | |
|---|---|--|
| <ol style="list-style-type: none"> 1. Shri R. P. Nevatia, M/s. Hirdusthan Sugar Mills Ltd., 51, Mahatma Gandhi Road, Fort, Bombay. 2. Shri K. K. Birla, 8, India Exchange Place, Calcutta. 3. Shri Gulabchand Hirachand, M/s. Walchandnagar Industries Ltd., Construction House, Ballard Estate, Fort, Bombay. 4. Sahu Jagdish Prasad, M/s. L. H. Sugar Factories & Oil Mills Ltd., Pilibhit, U.P. 5. Shri P. Hadfield, C/o Messrs. Parry & Co., Madras. 6. Shri D. D. Puri, Saraswati Sugar Mills, Yamunanagar | } | <p>being persons who in the opinion of the Central Government are capable of representing the interests of owners of industrial undertakings in the said scheduled industry.</p> |
| <ol style="list-style-type: none"> 7. The Joint Secretary in charge of Sugar, Ministry of Food and Agriculture, New Delhi. (<i>Ex-officio</i>). 8. The Cane-cum-Sugar Commissioner, U.P., Lucknow, (<i>Ex-officio</i>). 9. The Cane Commissioner, Bihar, Patna (<i>Ex-officio</i>). 10. The Director of Agriculture, Andhra Pradesh (<i>Ex-officio</i>). | } | <p>being person who in the opinion of the Central Government have special knowledge of</p> |

11. Shri J. M. Saha, Superintending Technologist, Birla Sugar Research Laboratory, Hargao (U. P.)
12. The Director, National Sugar Institute, Kanpur (*Ex-officio*).
13. The Director, Indian Institute of Sugarcane Research, Lucknow (*Ex-officio*).
14. Dr. A. Nagaraja Rao, Joint Secretary, Ministry of Commerce & Industry, New Delhi
15. The Chief Director, Directorate of Sugar & Vanaspati, New Delhi (*Ex-officio*).
16. Shri E. P. Moon, Adviser, Planning Commission, New Delhi.
17. Shri Mata Din Khaitan, Bengal Sugar Merchants' Association, 9, Ramkumar Rakhit Lane, Calcutta.
18. Shri Ganga Shankar Pandey, The Cawnpore Sugar Merchants' Association, Shakkur Patti, Kanpur
19. Sardar Lal Singh, Vice President, Indian Central Sugarcane Committee, New Delhi

matters relating to the technical or other aspects of the said scheduled industry.

20. Shri Kashinath Pande, General Secretary, Indian National Trade Union Congress, U.P. Branch, Shahgashah Manzil, Baroodkhana, Golaganj, Lucknow
21. Shri S.G. Athavale, General Secretary, Indian National Trade Union Congress, Maharashtra Branch, Sholapur
22. Shri Ram Shankar Lal, M.P. (Lok Sabha), New Delhi
23. Shri Sheel Bhadra Yajee, M.P. (Rajya Sabha) New Delhi

being persons who in the opinion of the Central Government are capable of representing the interests of persons employed in industrial undertakings, in the said scheduled industry.

being persons who in the opinion of the Central Government are capable of representing the interests of consumers of goods manufactured or produced by the said scheduled industry.

2. The Joint Secretary to the Government of India in the Ministry of Food and Agriculture in-charge of Sugar shall be the Chairman of the said Development Council.

[No.4(41)IA(II)(G)/58.]

K. C. MADAPPA, Dy. Secy.

ORDER

EXPORT TRADE CONTROL

New Delhi, the 4th October 1958

S.O. 2003.—In exercise of the powers conferred by section 3 and 4A of the Imports and Exports (Control) Act, 1947 (18 of 1947), as in force in India and as applied to the State of Pondicherry, the Central Government hereby makes the following further amendment in the Exports (Control) Order, 1958, namely:—

In Schedule I to the said Order—

Under the heading "C. ARTICLES WHOLLY OR MAINLY MANUFACTURED", for entry (xi) of item 9(a), the following shall be substituted:—

"(xi) Lead, pig and lead alloys,"

[No. Export(1)/AM(17).]

T. S. KUNCHITHAPATHAM, Under Secy.


(Indian Standards Institution)

New Delhi, the 19th September 1958

S.O. 2004.—In pursuance of sub-rule (1) of rule 4 of the Indian Standards Institution (Certification Marks) Rules, 1955, the Indian Standards Institution hereby notifies that the Standard Mark, design of which together with the verbal description of the design and the title of the relevant Indian Standard is given in the Schedule hereto annexed, has been specified.

This Standard Mark, for the purpose of the Indian Standards Institution (Certification Marks) Act, 1952 and the rules and regulations framed thereunder, shall come into force with effect from 1st October, 1958.

THE SCHEDULE

Design of the Standard Mark (1)	No. and title of relevant Indian Standard (2)	Verbal description of the design of the Standard Mark (3)
	IS: 220-1950 Specification for Fountain Pen Ink, Blue-Black.	The monogram of the Indian Standards Institution, consisting of letters ISI, drawn in the exact style and relative proportions as indicated in column (1), the number designation of the Indian Standard being inscribed in the top side of the monogram as indicated in the design.

[No. MDC/11(5).†

New Delhi, 24th September 1958

S. O. 2005—In pursuance of sub-regulation (1) of regulation 8 of the Indian Standards Institution (Certification Marks) Regulations, 1955, the Indian standards Institution hereby notifies that seven licences, particulars of which are given in the Schedule hereto annexed, have been granted authorizing the licensees to use the Standard Mark.

THE SCHEDULE

Sl. No.	Licence No. and Date	Period of Validity		Name and Address of Licensee	Article covered by the licence	Relevant Indian Standard
		From	To			
1	CM L—96 18-9-1958	1-10-1958	30-9-1959	Messrs Travancore Titanium Products Ltd., Kochuvelli, Trivandrum—7.	Titanium Dioxide for Paints, Anatase (Type A)	IS 411-1953 Specification for Titanium Dioxide for Paints.
2	CM L—97 18-9-1958	Do.	Do.	Messrs Sri Shunmuga Metal Works, Sangaliyandavarpuram, Tiruchirapalli.	Wrought Aluminium Utensils—Grade A	IS 21-1953 Specification for Wrought Aluminium for Utensils.
3	CM L—98 18-9-1958	Do.	Do.	Messrs Tata—Fison Private Ltd., Palluruthy, Cochin—5.	BHC Dusting Powders	IS 561-1955 Specification for BHC Dusting Powders.
4	CM L—99 18-9-1958	Do.	Do.	Do.	DDT Dusting Powders	IS 564-1955 Specification for DDT Dusting Powders.
5	CM L—100 18-9-1958	Do.	Do.	The Central Trading Co. Private Ltd., 29 Dum Dum Road, Calcutta—28.	Tea-Chest Plywood Panels	IS 10-1953 Specification for Plywood Tea—Chests (Revised)
6	CM L—101 18-9-1958	Do.	Do.	The Travancore Timber and Products, Kottayam.	Tea-Chest Plywood Panels	IS 10-1953 Specification for Plywood Tea—Chests (Revised)
7	CM L—102 19-9-1958	Do.	Do.	The record Trading Company, Kennedy Bridge, Soman Buildings, 19 Girgaum Road, Bombay—4.	Fountain Pen Ink, Blue Black	IS 220-1950 Specification for Fountain Pen Ink, Blue Black

New Delhi, the 25th September 1958

S. O. 2006—In modification of the rate of marking fee, notified in the Schedule annexed to the Ministry of Commerce and Industry (Indian Standards Institution) Notification, No. S.O. 975 dated the 19th May 1958 published in the Gazette of India, Part II—Section 3—Sub-Section (ii) dated the 31st May 1958, the Indian Standards Institution hereby notifies that the marking fee for unit leclanche type dry cells and batteries for flash lamps, has been amended. The amended rate of marking fee, details of which are given in the Schedule hereto annexed, shall come into force with effect from the 1st October 1958.

THE SCHEDULE

Sl. No.	Product/Class of Products	No. and title of relevant Indian Standard	Unit	Marking Fee per unit
I.	Leclanche Type Dry Cells and Batteries for Flash Lamps.	IS : 203-1950 Specification for Leclanche Type dry Cells and Batteries for Flash Lamps.	One thousand dry cells or batteries.	20 Naye Paise per unit for the first 20,000 units 10 Naye Paise per unit for the 20,001st unit and over for production during a year.

[No. MDC/11(6).]

D. V. KARMARKAR,
Deputy Director (Marks.)

MINISTRY OF STEEL, MINES AND FUEL

(Department of Iron and Steel)

New Delhi, the 23rd September 1958

S.O. 2007/Ess. Comm/Iron and Steel-2(c)/AM(26).—In exercise of the powers conferred by sub-clause (c) of clause 2 of the Iron and Steel (Control) Order, 1956, the Central Government hereby directs that the following further amendment shall be made to the notification of the Government of India, in the Ministry of Steel, Mines and Fuel, No. SRO.2041/ESS. COMM/IRON AND STEEL-2(c), dated the 11th June, 1957, as amended from time to time, namely:—

In the Schedule annexed to the said notification, in columns 2 and 3 thereof, against 'OTHERS', the following entry shall be added, namely:—

2.	3.
"36. Deputy Director of Exhibition, Ministry of Commerce and Industry, New Delhi.	4 and 5".

2. This notification shall remain in force for a period of six months with effect from the date of its publication in the Gazette of India, unless, before the expiry of the said period, its duration is extended by the Central Government.

[No. SC(A)-4(487).]

G. V. RAMAKRISHNA, Under Secy.

(Department of Mines & Fuel)

New Delhi, the 25th September 1958

S.O. 2008.—Whereas by a notification of the Government of India in the Department of Mines & Fuel (Ministry of Steel, Mines and Fuel), S.R.O. No. 2505 dated the 24th July, 1957, under sub-section (1) of section 4 of the Coal Bearing

Areas (Acquisition and Development) Act, 1957 (20 of 1957), the Central Government gave notice of its intention to prospect for coal in the lands in the locality specified in the Schedule appended to that notification;

And whereas the Central Government is satisfied that coal is obtainable in the whole or any part of the said lands;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 7 of the said Act, the Central Government hereby gives notice of its intention to acquire—

- (a) the lands measuring 0.50 acres approximately described in Schedule A appended hereto; and
- (b) the rights to mine, quarry, bore, dig and search for, win, work and carry away minerals in the lands measuring 1.54 acres approximately described in Schedule B appended hereto.

The plans of the areas covered by this notification may be inspected in the office of the Deputy Commissioner, Hazaribagh or in the office of the Coal Controller, 1, Council House Street, Calcutta, or in the office of the National Coal Development Corporation (P) Ltd., (Revenue Section) "Darbhanga House", Ranchi.

Any person interested in the aforesaid lands may, within 30 days of the issue of this notification, file objections to the acquisition of the whole or any part of the land or of any rights in or over such lands to the Coal Controller, 1, Council House Street, Calcutta.

SCHEDULE 'A'

Plan No. LA/24/58.

Block I.A.R.

Name of village	Thana No.	Name of Thana	District	Area to be acquired	Remarks
Chordhara	55	Ramgarh	Hazaribagh	0.50 Acres (Approx.)	Plot No. 98 is in Village Chordhara.
TOTAL				0.50 Acres (Approx.)	

Plot to be acquired: 98

Boundary Description

AB line passes along the eastern boundary of Plot No. 97 which is common boundary of Plot 98 and 97.

BC line passes along the North Western boundary of 105 and also common boundary of 98 and 105.

CD line passes along the Western boundary of Plot No. 99 and also common boundary of 98 and 99.

DEA line passes along the South Eastern boundary of Plot No. 78 which is common boundary of 98 and 78.

Plan No. LA/24/58.

SCHEDULE 'B'

Block II (M.R.)

Name of village	Thana No.	Name of Thana	District	Area to be acquired	Remarks
Chordhara	55	Ramgarh	Hazaribagh	1.54 Acres (Approx.)	Plot No. 135 is in village Chordhara.
TOTAL				1.54 Acres (Approx.)	

Plot to be acquired—135.

Boundary Description.

ABCD line passes along the Eastern boundary of Plot No. 141 which is common boundary of 141 and 135.

DE line passes along the Northern boundary of Plot Nos. 134 and 224 which is common boundary of 135, 134 and 224.

EF line passes along the Western boundary of Plot No. 191 and also the common boundary of Plot Nos. 135 and 191.

FGHIJA is the Northern boundary of Plot No. 135 and also the common boundary with the Plot Nos. 191, 136, 137, 138 and 140.

[No. F C2-20(19)/58.]

CORRIGENDUM

New Delhi, the 25th September 1958

S.O. 2009—In Schedules to Notification No. S.O. 832 dated 6-5-58 published in Part-II, Section 3 sub-section(ii) of the Gazette of India of May 17, 1958 entries mentioned in column 1 of the Schedule appended hereto are substituted by the entries at column 2 thereof.

SCHEDULE

	1	2
Block I. AB line passes along etc.	AB line passes along boundary of plot No. 77, 78 etc.	AB line passes along boundary of plot No. 77, 78 etc.
Block II. HI line passes through and along etc. after plot No. 276 and 200 respectively	279	259, 201

[F. No. C.2-20(19)/58.]

A. S. GREWAL, Under Secy.

MINISTRY OF FOOD AND AGRICULTURE

(Department of Agriculture)

New Delhi, the 25th September 1958

S.O. 2010.—In pursuance of sub-section (1) of section 19 of the Agricultural Produce (Development and Warehousing) Corporations Act, 1956 (28 of 1956), the Central Government hereby fixes the minimum rate of annual dividend guaranteed by it on the shares of the Central Warehousing Corporation issued on the 27th June, 1957, at 3½ per cent per annum.

[No. 11-16/58-Coop. I.]

R. VENGU, Under Secy.

MINISTRY OF RAILWAYS

(Railway Board)

ORDER

New Delhi, the 23rd September 1958

S.O. 2011.—In exercise of the powers conferred by rule 1 of Order XXVII of the first Schedule to the Code of Civil Procedure 1908 (Act V of 1908) read with Section 141 of the said Code, the Central Government hereby appoints, in addition to the persons already authorised in orders of the Government of India in the Ministry

of Railways (Railway Board) No. E51LL2/14/3 dated the 7th September 1951 No. E51LL2/14/3/1 dated the 8th March, 1952 No. E51LL2/14/3/II dated the 8th March, 1952 No. E52LL1/19/3/I dated the 10th July, 1952 No. E52LL1/19/3 dated the 18th June 1953, E52LL1/19/3-1 dated August 1955, No. E52LL1/19/3/A dated the 2nd August 1955, No. E(G)58LL2-14(1) dated the 12th March 1958 and No. E(G)58LL2-14(2) dated the 12th March 1958, each of the persons specified in Column 2 of the Schedule annexed hereto to sign and verify plaints, written statements, petitions, applications including applications for execution and any other pleadings or proceedings in any suit or other proceedings by or against the Central Government in respect of the railway administrations specified in the corresponding entry in Column I of the said schedule.

THE SCHEDULE

Railway Administrations.

Persons appointed to sign and verify plaints etc.

Central Railway.	Chief Personnel Officer, Deputy Chief Personnel Officer.
Eastern Railway.	Chief Personnel Officer, Deputy Chief Personnel Officer.
Northern Railway.	Chief Personnel Officer, Deputy Chief Personnel Officer.
North Eastern Railway.	Chief Personnel Officer, Deputy Chief Personnel Officer.
Northeast Frontier Railway.	Chief Personnel Officer, Deputy Chief Personnel Officer.
Southern Railway.	Chief Personnel Officer, Deputy Chief Personnel Officer.
South Eastern Railway.	Chief Personnel Officer, Deputy Chief Personnel Officer.
Western Railway.	Chief Personnel Officer, Deputy Chief Personnel Officer.

[No. E(G)58LL2-36.]

New Delhi, the 23rd September 1958

S.O. 2012.—It is hereby notified for general information that the Chief Personnel Officer and Deputy Chief Personnel Officer of the Central, Eastern, Northern, North Eastern, Northeast Frontier, Southern, South Eastern and Western Railways are *ex-Officio* authorised to act for and on behalf of the Central Government in respect of all judicial proceedings in which the Central, Eastern, Northern, North Eastern, Northeast Frontier, Southern, South Eastern and Western Railway Administrations may respectively be concerned.

[No. E(G)58LL2-36.]

R. E. de Sa, Secy.

MINISTRY OF TRANSPORT AND COMMUNICATIONS

(Department of Transport)

(Transport Wing)

MERCHANT SHIPPING

New Delhi, the 18th September 1958

S.O. 2013.—In pursuance of clause (f) of section 2 of the Control of the Shipping Act, 1947 (26 of 1947), the Central Government is pleased to authorise Shri N. K. Gopalan Nair, Assistant Director General of Shipping, Bombay, also to perform the functions of Shipping Authority under the said Act.

[No. 30-ML(2)/57.]

S. K. GHOSH, Dy. Secy.

(Departments of Communications and Civil Aviation)

New Delhi, the 24th September 1958

S.O. 2014.—In exercise of the powers conferred by sub-rule (2) of rule 11, clause (b) of sub-rule (2) of rule 14 and sub-rule (1) of rule 23 of the Central Civil Services (Classification, Control and Appeal) Rules, 1957, the President hereby directs that the following amendments shall be made in the notification of the Government of India in the Ministry of Communications No. SRO. 631-B, dated the 28th February, 1957, namely—

In Part III of the Schedule to the said notification under the sub-head "Aerodrome Offices Incharge of Gazetted Officers", for the entries in columns 2 and 3 against "All posts" in column 1, the following shall be substituted, namely:—

"Senior Aerodrome or Aerodrome or Assistant Aerodrome Officer or Assistant Communication Officer concerned."

[No. 10-VE(10)/58.]

H. C. SHARMA, Dy. Secy.

(Department of Communications)

(P. & T.)

New Delhi, the 24th September 1958

S.O. 2015.—In exercise of the powers conferred by sub-section (2) of section 16 and item (b) of sub-section (2) of section 21 of the Indian Post Office Act, 1898 (6 of 1898), the Central Government hereby makes the following further amendments in the Indian Post Office Rules, 1933, namely:—

In the said Rules,

(I) for item (b) of sub-rule (1) of rule 181, the following shall be substituted, namely:—

"(b) Official postal articles, whether the postage is pre-paid or not, shall bear the superscription "On India Government Service" when posted by Government Officials authorised to use service postage stamps or 'On Service' when posted by all others authorised to use service postage stamps. This superscription shall be supported by the signature and official designation—to be entered in the lower left-hand corner of the article—of the officer who sends the article, or of the Head Clerk or Superintendent of his office or other responsible officer to whom the duty of despatching is assigned";

(II) for the opening paragraph of rule 183, the following shall be substituted, namely:—

"The following persons shall be entitled to use service postage stamps on official postal articles sent by them subject to the conditions noted against each:—"

[No. 24/2/57-CI.]

B. G. DESHMUKH, Under Secy.

THE MADRAS CENTRAL EXCISE COLLECTORATE

Madras, the 7th July 1958

Amendment to Notification C. No. VIKK/21/9/56/C.E. Dated 7-7-1958

2016.—In this Collectorate Notifications C. No. VIKK/21/9/56 C.E. Pol. dated 7th July, 1958, for the words "Assistant Collector of Central Excise" appearing in the last paragraph, please read "Superintendent of Central Excise".

[No. C. VI/KK/21/9/56-CE. Pol.]

Madras, the 20th September 1958

S.O. 2017.—In supersession of the notification issued on 3rd March 1958 and in exercise of the powers conferred on me under the second provisos to Rules 15 and 16 of the Central Excise Rules, 1944, as amended by Government of India, Ministry of Finance (Department of Revenue) Notification C. E.No. 3/58 dated the 11th January, 1958, and 29/58 dated the 8th March 1958, I hereby declare the tobacco growing areas specified in column 3 of the appended statement as sparse growing areas. The extent of tobacco cultivation within these specified sparse growing areas upto which individual growers need not furnish declarations under Rule 15 of the Central Excise Rules, 1944, is indicated in column 4 and the limit upto which individual curers in these specified sparse areas, need not furnish their declarations under Rule 16 of the Central Excise Rules, 1944, is indicated in column 5 of the statement appended.

MADRAS STATE

Statement showing the sparse tobacco growing areas in the Madras Central Excise Collectorate.

Name of the Central Excise Division.	Revenue jurisdiction of the Division	Areas (in terms of revenue jurisdiction) declared as sparse tobacco growing areas	Extent of tobacco cultivation in the areas specified in col. 3 upto which individual growers need not declare the cultivation as per 2nd proviso to Rule 15 of C. E. Rules 44	Limits upto which individual curers in the areas in col. 3 need not declare their produce as per proviso to Rule 16 of the Central Excise Rules, 1944	Remarks
1	2	3	4	5	6
Madras	Madras City, Chingleput, North Arcot and South Arcot Districts.	The whole of Madras City, whole of Chingleput District, whole of North Arcot District except the Tiruvannamalai and Chengam Taluks. The whole of the South Arcot Dt. except Theagadurgam and Rishivandiyam firkas of Kallakurichi Taluk and (Chidambaram) East, Bhuvanagiri,	5 cents.	50 lbs.	

Kattumannargudi, Komaratchi, Sethiathope and Srimushnam firkas of Chidambaram Taluk. Kurinjipadi firka in Cuddalore Taluk and U. Mangalam, Mallur. Kammapuram and Sirupakkam firkas of Vridachalam taluk.

Tiruchirapalli	Tanjore and Tiruchirapalli Districts and the Dindigul and Palani Taluks of Madurai District.	The whole of Tiruchi District except Tirumalavady and Kamarasavalli firkas of Udayarpalayan Taluk and Chinnadarapuram, Aravakurichi and Paramathi firkas of Karur Taluk.	5 Cents	. . . . .	60 lbs.	. . . . .	For Dindigul and Palani Taluks of Madurai District please see remarks against Madurai Division.
		The whole of Tanjore District except Tiruturaipoondi and Pappanasam Taluks and Sirkali Firka in Sirkali Taluk.	5 Cents.	. . . . .	65 Lbs.		
Madurai	Ramanathapuram District, Tirunelveli District, Kanyakumari District, Madurai District except Dindigul and Palani Taluks.	The whole of Ramanathapuram District except Aruppukottai Taluk and Sathur and Sevalpattai Firkas of Sattur Taluk.	5 Cents.	. . . . .	60 Lbs.		
		The whole of Madurai Dt. except Dindigul, Palani, Periyakulam and Kodaikanal Taluks and Batlagundu and Nilakottai Firkas of Nilakottai Taluk.	5 cents.	. . . . .	80 Lbs.		Dindigul and Palani Taluks are included in the Trichy Divn.
		The whole of Tirunelveli District and the whole of Kanyakumari District.	5 cents.	. . . . .	60 Lbs.		

1	2	3	4	5	6
Coimbatore	Coimbatore, Ayanashi, Nil Palladam, Pollachi, Udumalpet and Gobichettipalayam taluks of Coimbatore District.	Nil	Nil	Nil	Nil
Salem	Salem District, Erode, Bhayani and Dharampuram Taluks of Coimbatore District.	The whole of Salem District except the Tiruchengode, Harur, Dharmapuri and Omalur Taluks and Gangavalli firka of Attur Taluk*.	6 Cents.	50 Lbs.	*No area in Erode Bhayani and Dharampuram taluks of Coimbatore Dt. is declared as sparse tobacco growing area.
Kozhikode	The Nilgiris Dt. of Madras State and Kozhikode, Palghat (except Chittur Taluk) and Cannanore District of Kerala State.	The whole of the Nilgiris District.	5 Cents.	25 Lbs.	For the remaining part of Kozhikode Divn. see particulars under Kerala State.
Kozhikode	The Nilgiris Dt. of Madras State and Kozhikode Cannanore and Palghat District of Kerala State, except Chittoor Taluk of Palghat District.	<i>Kerala State.</i> Whole of Kozhikode, and Palghat Districts, and Cannanore Dt. except Kargode and Hosdurg Taluks.	Kozhikode, Palghat Dts. 5 Cents	35 Lbs.	For the Nilgiris Dt. (Madras State), of Kozhikode Division, see Notification against this Division in the Madras State. For Chittur Taluk of Palghat Dt. see particulars against Trivandrum Division
Trivandrum	Trivandrum, Alleppey, Trichur, Quilon and Kottayam Districts, and the Chittur Taluk of Palghat District	Trivandrum, Alleppey, Trichur, Quilon and Kottayam Districts, and Chittur Taluk of Palghat District	5 Cents	25 Lbs.	

[No. C. Va. 24 127/57 C. F. POL.]
S. P. KAMPANI, Collector

OFFICE OF THE ASSTT. COLLECTOR OF C.E. GOA FRONTIER, BELGAUM
NOTICE

Belgaum, the 17th September 1958

S.O. 2018—Whereas there is reason to believe, that the marginally noted unclaimed goods which were seized by the Supervisor Customs and Central Excise, Belekari, on the bank of the Belekari creek in the vicinity of Bobbargddi, on 13th October, 1957, were imported from Goa (Portuguese Territory in India) in contravention of the Government of India, Ministry of Commerce and Industries Import Trade Control Order No. 17/55, dated 7th December, 1955 issued under the Import and Export (Control) Act 1947 and deemed to have been issued under Section 19 of the Sea Customs Act 1878. Now, therefore, any person claiming the goods is hereby called upon to show cause to the Assistant Collector, Central Excise, Goa Frontier, Belgaum, why the above mentioned goods should not be confiscated under Section 167(8) of the Sea Customs Act 1878 and why a penalty should not be imposed on him under Section 167(8) of the Sea Customs Act 1878.

If such an owner fails to turn up to claim the above mentioned un-claimed goods or to show cause against the action proposed to be taken within 30 days from the publication of this notice in the Government of India Gazette/Bombay State Government Gazette, the goods in question will be treated as un-claimed and the case will be decided accordingly.

[No. VIII(b)10-35/53.]

E. R. SRIKANTIA,

Asstt. Collector of C.Ex., Goa Frontier Division, Belgaum.

OFFICE OF THE ASSISTANT COLLECTOR OF CENTRAL EXCISE, BOMBAY

NOTICE

Bombay, the 24th September 1958

S.O. 2019.—Whereas it appears that the unclaimed goods shown in the list appended herewith which were seized by the Central Excise staff on 27th April 1958 at 20-45 hours near Ch. No. 6 in Kolak Beat, were imported by land from Damian portuguese Territory in India in contravention of section 5(1) of the Land Customs Act, 1924 and the Government of India Ministry of Commerce and Industry I.T.C. order No. 17/55 of 7th December 1955 issued under the Import and Export Control Act, 1947 and deemed to have been issued under Section 19 of the Sea Customs Act VIII of 1878. Now therefore any person claiming the goods is hereby called upon to show cause to the Assistant Collector of Central Excise Bombay III Division as to why the above mentioned goods should not be confiscated under Section 5(3) of the Land Customs Act, 1924 read with Section 167(8) of the Sea Customs Act, 1878 and why a penalty should not be imposed on him under Section 7(1) (c) of the Land Customs Act, 1924 read with section 167(8) of the Sea Customs Act, 1878. If such an owner fails to turn up to claim the goods in the list or to show cause against the action proposed to be taken within 30 days from the day of publication of this notice in the Government of India Gazette/Bombay State Government Gazette the goods in question will be treated as unclaimed and the case will be decided accordingly.

Item of Seizure

Serial No.	Description of goods	Quantity	Value
1	One Takka of double horse boskhi	46 yds.	368.00
2	One takka of Royal Quality Silk	46 yds.	276.00
3	One Takka of Georgette 44" x 50	50 yds.	250.00
4	Hand bag khaki	1	00.37
5	Hand bag blue one	1	00.26
6	White old Dhoti one	1	3.00
7	White Gandhi cap	1	00.25
			897.87

[No. VIII/15-7/58.]

S.O. 2020.—Whereas it appears that the unclaimed goods shown in the list attached herewith which were seized by the Central Excise Staff on the shore of Parliari (Umareadi) on 17-3-58 as there was reason to believe, that these goods were about to be exported in contravention of the provisions of Section 5(1) of the Land Customs Act, 1924 and the Government of India Ministry of Commerce and Industry Export (Control) order No. I/54 of 10-5-54 issued under Section 3 of 4-A of the Imports and Exports (Control) Act, 1947 and deemed to have been issued under Section 19 of the Sea Customs Act VIII of 1878. Now therefore any person claiming the goods is hereby called upon to show cause to the Assistant Collector of Central Excise Bombay III Division as to why the goods shown in the list should not be confiscated under Section 5(3) of the Land Customs Act, 1924 read with Section 167(8) of the Sea Customs Act VIII of 1878 and why a penalty should not be imposed on him under Section 7(i) (c) of the Land Customs Act 1924 read with section 167(8) of the Sea Customs Act VIII of 1878.

If an owner fails to turn up to claim the above goods shown in the list or

Gazette, the goods in question will be treated as un-claimed and case will be dealt accordingly.

List of Articles

Serial No.	Description of goods	Quantity	Value
1	Toney with equipment No. 108 C.N.P.	1	400.00
2	Boiled oil tin	1	5.00
3	White oil paint tin of 14 lbs.	1	10.00
4	Iron Kadi Koyande for doors	4	10.00
5	Clips for items No. 4 above	12	6.00
6	Iron files	2	2.00
7	Iron pakad Drills Olamba & Randha	7	8.00
8	Dock with two Keys	1	1.00
9	Brooms	6	2.00
10	Cloth pieces 4	36	27.00
11	Small chadics	4	1.00
12	Measure tape wooden of 2 ft.	1	2.00
13	Karwara (Saws) 1 small and 1 big	2	10.00
14	Photos with frames 2 big and 5 small	7	10.00
15	Coir mats	2	2.00
16	Lantern 1 and french polish bottles 3	4	6.00
17	Agarbatti packer and old clothers 5	4	1.00
18	Polish papers 12 and powder packet	..	1.00
19	Nails chuni etc.		1.00
20	Iron blades (ferahis)	4	10.00
21	Agarbatti packets 7	7	3.00
22	Tea packets 4	3 lbs	6.00
23	Dhories 2	2	8.00
24	Brass cock 1 and ordinary brushes 2	..	2.00
25	Onions and potatoes	4	0.50
26	Cough syrup bottle	1	0.50
27	Fresh Vegetables and fruits	net	2.00
28	Glass jar	1	2.00
Total			Rs. 539.00

[No. VIII/15-71/58.]

R. N. SHUKLA,

Assistant Collector, Central Excise, Bombay Dvn. III.

MINISTRY OF HEALTH

New Delhi, 27th September 1958

S.O. 2021.—Dr. Jagdish Singh, Director of Health Services, Punjab has been nominated by the Government of Punjab as a member of the Dental Council of India under clause (e) of section 3 of the Dentists Act, 1948 (16 of 1948), with effect from 18th August, 1958, in place of Dr. M. L. Watts, whose term of membership expired on the 6th July, 1958

[No. F. 6-55/58-M.I.]

KRISHNA BIHARI, Dy. Secy.

(Office of the Settlement Commissioner)

New Delhi, the 22nd September 1958

S.O. 2022.—In exercise of the powers conferred by Sub-Section (i) of Section 6 of the Administration of Evacuee Property Act, 1950 (XXXI of 1950), the Central Government hereby appoints Shri K. K. Mittal, Managing Officer-cum-Assistant Custodian, Delhi, as Assistant Custodian, Delhi, for the purpose of discharging the duties assigned to the Custodian by or under the said Act, with effect from the date he assumed charge of his office.

[No. 3(22)Admn.(Prop)/58.]

S.O. 2023. In exercise of the powers conferred by Clause (a) of Sub-Section (2) of Section 16 of the Displaced Persons (Comp. & Rehab.) Act No. 44 of 1954, the Central Government hereby appoints Shri J. N. Bhaugava for the time being holding the post of Land Allotment Officer of the Urban Land Branch, Jullundur, as Managing Officer for the custody, management and disposal of compensation pool

[No. 16(7)Admn.(Prop)/58.]

New Delhi, the 23rd September 1958

S.O. 2024—In exercise of the powers conferred by Sub-Section (i) of Section 6 of the Administration of Evacuee Property Act, 1950 (XXXI of 1950), the central Government hereby appoints for the State of Uttar Pradesh, Shri M. M. Gupta, Additional Custodian in the Office of the Custodian of Evacuee Property, U.P., as Custodian for the purpose of discharging the duties assigned to such officer by or under the said Act.

[No. 1(1)Admn (Prop.)/58]

S.O. 2025.—In exercise of the powers conferred by Section 5 of the Administration of Evacuee Property Act, 1950 (XXXI of 1950), the Central Government hereby appoints for the State of Uttar Pradesh, Shri H. C. Asthana, Custodian, U.P. as Deputy Custodian General for the purpose of discharging the duties assigned to such officer by or under the said Act.

[No. 1(1)Admn (Prop.)/58.]

New Delhi the 24th September 1958

S.O. 2026.—In exercise of the powers conferred by clause (a) of sub-section (2) of Section 16 of the Displaced Persons (Compensation & Rehabilitation) Act No. 44 of 1954, the Central Government hereby appoints Shri K. K. Mittal for the time being holding the post of Managing Officer-cum-Assistant Custodian, Delhi as Managing Officer for the custody, management and disposal of compensation pool.

[No. 3(22)Admn(Prop)/58]

M. L. PURI,
Settlement Commissioner (Admn.) &
Ex-Officio Under Secy.

(Office of the Chief Settlement Commissioner)

New Delhi, the 23rd September 1958

S.O. 2027.— In exercise of the powers conferred on me by Sub-Section (2) of Section 10 of the Displaced Persons (Claims) Supplementary Act, 1954 (12 of 1954), I have delegated to Shri Tara Chand Gupta, Settlement Commissioner w.e.f. 2nd September, 1958, the following powers of the Chief Settlement Commissioner:

1. Power to call for the record of any case decided by the Settlement Officer and pass order in the case under provision to Sub-Section (3) of Section 4 of the said Act.
2. Special power of revision under Section (5) of the said Act in respect of cases decided under the Displaced Persons (Claims) Act, 1950 (44 of 1950).

[No. 11-A(45)-58/CSC/AI-III.]

S.O. 2028.—In exercise of the powers conferred on me by Sub-Section (2) of Section 10 of the Displaced Persons (Claims) Supplementary Act, 1954 (12 of 1954), I have delegated to Shri Tara Chand Gupta, Settlement Commissioner, with effect from 2nd September, 1958, the following powers of the Chief Settlement Commissioner, namely:—

1. Power to transfer cases to Settlement Officers by general or special order under Sub-Section (1) of Section 4 of the said Act.
2. Power to require a Settlement Officer to appoint one or more persons to advise him in any proceeding pending before him, under Sub-Section (2) of Section 6 of the said Act.
3. Power to transfer any case pending before a Settlement Officer to another Settlement Officer under Section 7 of the said Act.

[No. 11-A(45)-58/CSC/AI-IV.]

S.O. 2029.—In exercise of the powers conferred on me by Sub-Section (2) of Section 34 on the Displaced Persons (Compensation & Rehabilitation) Act 1954 (44 of 1954). I hereby delegate to Shri Tara Chand Gupta, Settlement Commissioner w.e.f. the 2nd September, 1958, the following powers of the Chief Settlement Commissioner:—

1. Power to hear appeals under Section 23 of the said Act.
2. Power to hear revisions under Section 24 of the said Act.

[No. 11-A(45)-58(CSC)/AI/V.]

L. J. JOHNSON,
Chief Settlement Commissioner.

MINISTRY OF LABOUR & EMPLOYMENT

New Delhi, the 23rd September 1958

S. O. 2030.—For the purposes of Regulations 16 and 18 of the Coal Mines Regulations, 1957, and in supersession of all the previous notifications on the subject, the Central Government hereby approves the institutions mentioned in Column I of the table below in respect of such degrees, diplomas or certificates awarded by them as are specified in the corresponding entry in column II of the said table :

TABLE

I	II
Name of Institution	Degree, diploma or certificate awarded
INDIA	
Any university in India established by law . . .	Degree in Mining.
1. Bengal Engineering College, Sibpore . . .	Diploma in Mining.
2. Indian School of Mines and Applied Geology, Dhanbad.	Certificate in Coal Mining and Diploma of Associateship in Mining Engineering.
UNITED KINGDOM	
1. Armstrong College, New-Castle-on Tyne . . .	Diploma in Mining.
2. Birmingham University	Degree of B. Sc. in Mining and Diploma in Mining.
3. Cambridge and Birmingham Universities . . .	Joint Coal Mining Diploma.
4. Durham University	Degree of B.Sc. in Mining.
5. Do.	Honours Degree of B.Sc. in Mining.
6. Edinburgh University	Degree of B.Sc. and D.Sc. in Mining and Metallurgy.

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| 7. | Glasgow University | Degree of B.Sc. in Mining Engineering. |
| 8. | Do. | Certificate of Proficiency in Mining |
| 9. | Heriot Watt College, Edinburgh | Certificate in Mining Engineering |
| 10. | Heriot Watt College, Edinburgh | Diploma in Mining Engineering. |
| 11. | Leeds University | Degree of B.Sc. in Mining and Diploma in Mining. |
| 12. | London University | B.Sc. Degree in Mining for Internal Students subject to the Degree being endorsed by the University with a certificate of four months' Practical experience in a mine. |
| 13. | Do. | Degree of B.Sc. in Mining for External Students. |
| 14. | Manchester, Victoria University | Degree and Certificate in Mining. |
| 15. | Nottingham University College | Diploma of Mining Engineering. |
| 16. | Oxford and Birmingham Universities | Diploma in Coal Mining which is granted by the two Universities jointly. |
| 17. | Royal School of Mines | Associateship in Mining. |
| 18. | Sheffield University | Diploma in Mining. |
| 19. | Do. | Degree of Bachelor of Engineering (Mining). |
| 20. | University College of South Wales and Monmouthshire and the South Wales and Monmouthshire School of Mines. | Diploma which is granted by the two institutions (Jointly). |
| 21. | Wales, University of | Degree or B.Sc. in Mining Engineering. |
| 22. | Wigam Mining and Technical College | Diploma in Mining. |

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| 1. | California University | Degree of Mining Engineering. |
| 2. | Carnegie Institute of Technology, Pittsburgh | Degree of Bachelor of Science in Mining Engineering. |
| 3. | Colorado School of Mines | Degree in Mining Engineering. |
| 4. | Columbia University, New York | Degree of Engineer of Mines. |
| 5. | Harvard University, Cambridge, Massachusetts. | Diploma in Mining Engineering. |
| 6. | Leland Stanford Junior University, California. | Degree of Bachelor of Arts in Geology and Mining. |
| 7. | Pittsburgh University | Degree of Engineer of Mines. |

[No. MI-30/77/58].

New Delhi, the 25th September 1958

S.O. 2031.— In pursuance of Regulation 25 of the Coal Mines Regulations, 1957, the Central Government hereby appoints Shri A. A. Beard as an assessor in the place of Shri B. H. Engineer, and directs that the following amendment be made in the notification of the Government of India, Ministry of Labour, S.R.O. No. 478 dated the 18th February, 1956, namely:—

In the said notification—

For the entry "(1) Shri B. H. Engineer, The Tata Iron & Steel Co. Ltd; Jamadoba, Jhalora P. O. Manbhum District, Bihar" the following entry shall be substituted namely— "(1) Shri A. A. Beard, Office of the Chief Mining Engineer, Bird & Co. Ltd; F. W. Heijgers & Co. Ltd; Sijuna, P.O. (Manbhum District)".

[No. MI.3(14)/58.]

S. RANGASWAMI, Under Secy.

S.O. 2032.—In exercise of the powers conferred by clause (a) of sub-section (1) of section 5 and section 9 of the Minimum Wages Act, 1948 (11 of 1948) and in supersession of the notification of the Government of India in the Ministry of Labour No. S.R.O. 2089, dated the 21st June, 1954 and the notification of the Government of India in the Ministry of Labour and Employment No. S.R.O. 3490, dated the 21st October 1957 the Central Government hereby appoints a Committee consisting of the following members (a) to hold enquiries and advise the Central Government regarding the fixation of minimum rates of wages for the first time under the said Act in respect of the scheduled employments in relation to which the Central Government is the appropriate Government, other than those scheduled employments in respect of which the minimum rates of wages have already been fixed by the Central Government under the said Act and (b) also to hold inquiries and advise the Central Government in respect of the revision of minimum rates of wages already fixed by the Central Government as the "appropriate Government" under the said Act:—

I. Independent members—

- (1) Shri S. P. Mukerjee, I.A.S., Chief Labour Commissioner (Central), New Delhi—Chairman.
- (2) Dr. A. M. Lorenzo, Director, Labour Bureau, Simla.

II. Representatives of employers—

- (1) Shri K. Narayanan, Deputy Secretary to the Government of India, Ministry of Transport and Communications, Department of Transport, New Delhi.
- (2) Shri G. A. Ramrakhiani, Deputy Secretary to the Government of India, Ministry of Defence, New Delhi.
- (3) Shri R. S. Barve, Deputy Director, Civil Engineering, Ministry of Railways (Railway Board), New Delhi.
- (4) Shri L. S. Sundara Rajan, I.A.S., Deputy Secretary to the Government of India, Ministry of Works, Housing & Supply, New Delhi.

III. Representatives of employees—

- (1) Shri Nirmal Kumar Sen, Working President, (I.N.T.U.C.—Bengal Branch), Babuganj, P.O. Hooghly Ghat, (Distt Hooghly)
- (2) Shri K. Kannan, President, Hind Mazdoor Sabha, (Mysore State), 24—Purniah Chatram Road, Bangalore—2.
- (3) Shri Indrajit Gupta, General Secretary, Bengal Chatkal Mazdoor Union, 249—Bowbazar Street, Calcutta—12.
- (4) Shri R. Ramanathan, General Secretary, United Trades Union Congress, (Madras State Committee), 11—Maclean Street, Madras.

2. In pursuance of rule 6 of the Minimum Wages (Central) Rules, 1950, the Central Government hereby appoints the Assistant Labour Commissioner (Central) to be the Secretary of the said Committee.

[No. LWI(1)-6(8)/53.]

K. N. NAMBIAR, Dy. Secy.

New Delhi, the 24th September 1958

S.O. 2033.—In exercise of the powers conferred by sub-section (1) of section 17 of the Tea Districts Emigrant Labour Act, 1932 (22 of 1932), the Central Government hereby empowers the officers mentioned in Column (1) of the Table below to grant licence to any person to act as a local forwarding agent, in the areas specified in the corresponding entry in Column 2 of the said Table, on behalf of an employer or employers of labourers.

TABLE

1	2
Additional District Magistrate (I) of Kanyakumari District, Madras State.	Kanyakumari district.
District Magistrate, Tirunelveli District, Madras State.	Shencottah taluk.

[No. PL/1-3/2/I/56.]

S.O. 2034.—In exercise of the powers conferred by sub-section (3) of section 36 of the Tea Districts Emigrant Labour Act, 1932 (22 of 1932), the Central Government hereby invests the Additional District Magistrate (I) of Kanyakumari District in the State of Madras, with the powers of the Controller under sub-clauses (iv) and (v), of clause (a) and clauses (b), (c) and (d) of section 4 and under sections 33, 34 and 35 of the said Act, in respect of his district.

[No. PL/1-3/2/II/56.]

S.O. 2035.—In exercise of the powers conferred by sub-section (3) of section 36 of the Tea Districts Emigrant Labour Act, 1932 (22 of 1932), the Central Government hereby invests the District Magistrate of Tirunelveli and the sub-divisional Magistrate, Kollipatti of that District, in the State of Madras, with the powers of the Controller under sub-clauses (iv) and (v) of clause (a) and clauses (b), (c) and (d) of Section 4 and under sections 33, 34 and 35 of the said Act, in respect of the areas comprising the Shencottah Taluk of the Tirunelveli District in the Madras State

[No. PL/1-3/2/III/56.]

S.O. 2036.—In exercise of the powers conferred by sub-section (4) of section 36 of the Tea Districts Emigrant Labour Act, 1932 (22 of 1932), the Central Government hereby invests the Civil Surgeons of the Kanyakumari and Tirunelveli districts with the powers of the Controller under sub-section (1) of section 33 and sub-section (1) of section 35 of the said Act, to be exercised respectively within the areas comprising the Kanyakumari District and the Shencottah Taluk of Tirunelveli District in the Madras State

[No. PL/1-3/2/IV/56.]

S.O. 2037.—In exercise of the powers conferred by sub-section (1) of section 21 of the Tea Districts Emigrant Labour Act, 1932 (22 of 1932), the Central Government hereby makes the following further amendments in the Tea Districts Emigrant Labour (Andhra, Madras and Mysore) Rules, 1933, published with the notification of the Government of Madras in the Public Works and Labour Department No 317 dated the 18th August, 1933, as subsequently amended, namely:—

In the said rules—

(1) in sub-rule (1) of rule 1, for the brackets and words “(Andhra, Madras and Mysore)”, the brackets and words “(Andhra Pradesh, Madras and Mysore)” shall be substituted;

(2) for rule 1A the following rule shall be substituted, namely;

“1A. **Extent.**—These rules extend to the whole of the States of Andhra Pradesh and Madras and the Saurashtra Taluk in Bellary District of Mysore State.”

[No. PL/1-3/2/V/56.]

S.O. 2038.—In exercise of the powers conferred by sub-section (1) of the section 17 of the Tea Districts Emigrant Labour Act, 1932 (22 of 1932), the Central Government hereby empowers the District Magistrates, Hyderabad, Medak, Kareemnagar, Nalgonda, Warangal, Khammam, Mahaboobnagar, Adilabad and Nizamabad in the State of Andhra Pradesh to grant license to any person to act as a local forwarding agent within their respective districts on behalf of an employer or employers of labourers

[No. PL/1-3/2/VI/56.]

S.O. 2039.—In exercise of the powers conferred by sub-section (4) of section 36 of the Tea Districts Emigrant Labour Act, 1932 (22 of 1932), the Central Government hereby invests the Civil Surgeons of the districts of Hyderabad, Medak, Kareemnagar, Nalgonda, Warangal, Khammam, Mahaboobnagar, Adilabad and Nizamabad, with the powers of the Controller under sub-section (1) of section 33 and sub-section (1) of section 35 of the said Act to be exercised within their respective districts.

[No. PL/1-3/2/VII/56.]

of the Tea Districts Emigrant Labour Act, 1932 (22 of 1932), the Central Government hereby invests the District Magistrates of Hyderabad, Medak, Kareemnagar, Nalgonda, Warangal, Khammam, Mahaboobnagar, Adilabad and Nizamabad and sub-divisional magistrates in the said districts in the state of Andhra Pradesh with the powers of the Controller under sub-clauses (iv) and (v) of clause (a) and clauses (b), (c) and (d) of section 4 and under sections 33, 34 and 35 of the said Act to be exercised within their respective district or sub-division as the case may be.

[No. PL/1-3/2/VIII/56.]

ORDER

New Delhi, the 27th September 1958

S.O. 2041.—In exercise of the powers conferred by section 73-F of the Employees State Insurance Act, 1948 (34 of 1948), the Central Government hereby exempts, for a further period of three months with effect from the 1st October, 1958, from the payment of the employer's special contribution under Chapter V-A of the said Act, every factory—

- (a) which is exclusively engaged in the manufacturing process specified in column 1 of the Table annexed hereto or in any other manufacturing process which is incidental to or connected with the aforesaid process; and
- (b) which is situated in any area specified in the corresponding column in column 2 of the said Table.

TABLE

Name of the manufacturing process	Area where situated
1	2
Cashew processing	Whole of India except the State of Jammu and Kashmir

[No. HI-6(262)/57.]

P. R. NAYAR, Under Secy.

New Delhi, the 24th September 1958

S.O. 2042.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of Industrial Tribunal, Nagpur in the industrial dispute between the employers in relation to the Gold Mines of the Kolar Gold Fields, Mysore, and their workmen.

BEFORE SHRI P. D. VYAS, JUDGE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, NAGPUR AT BOMBAY

REFERENCE (CGIT) No. 5 OF 1957

AN ADJUDICATION BETWEEN

The employers in relation to Gold Mines of Kolar Gold Fields, Mysore.

AND

Their Workmen.

In the matter of an industrial dispute relating to grades of wages.

APPEARANCES

Shri T. Rangaswamiangar, Legal Adviser, Kolar Gold Mining Undertakings—for the employers.

Shri V. G. Rao, Bar-at-law with Shri V. M. Govindan, Secretary, Mysore Mine Workers' Union and Shri N. C. Narasimhan, President, Champion Reef Mine

AWARD

In exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Dispute Act, 1947 the Central Government was pleased to refer an industrial dispute between the employers in relation to the Gold Mines of the Kolar Gold Fields, Mysore, and their workmen for adjudication to the Central Government Industrial Tribunal, Madras by S.R.O. 2023 dated 30th August, 1956. The employers in relation to the said Mines have been specified in Schedule I and the matter in dispute has been specified in Schedule II respectively annexed to the said order. The reference was then numbered as Industrial Dispute No. 4 of 1956 by the Central Government Industrial Tribunal, Madras.

SCHEDULE I

- (1) Mysore Gold Mining Co., (Kolar Gold Field) Ltd.
- (2) Champion Reef Gold Mining Co., of India (Kolar Gold Field), Ltd.
- (3) Nundydroog Gold Mining Company (Kolar Gold Field) Limited.
- (4) Kolar Gold Field Electricity Department, Oorgaum.
- (5) Kolar Mines Power Station (Kolar Gold Field), Oorgaum.

SCHEDULE II

Grades of wages for monthly and daily-rated workmen, including the date with effect from which the new grades, if allowed, should come into force and the method of fitting the existing workmen into the new grades.

2. The said Industrial Tribunal, Madras consisted of a single Member, Shri K. N. Kunjukrishna Pillai and as his services ceased to be available, the Central Government in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 referred the said dispute for adjudication to me by the order L.R. II/57-1(27)/57 dated 5th June, 1957. The Reference has since been re-numbered as Reference (CGIT) No. 5 of 1957 and has been heard by me as such.

3. At the time when the Reference was originally made, besides the three Mining Companies, there were two other employers specified in Schedule I viz. Kolar Gold Field Electricity Department, Oorgaum and Kolar Mines Power Station (Kolar Gold Field), Oorgaum and they as such have filed their respective written statements and so also the workmen concerned represented by their respective Unions have filed the statement of claims on the usual notices being issued.

4. The statement of claims filed by workmen of the Champion Reef Gold Mines of India (KGF) Ltd., represented by the Champion Reef Mine Labour Association is as follows. After stating the past history of the Gold Mines in Kolar Gold Fields and referring to the sound financial position of the Mining Companies, they state that upto 1945 the Mine Companies were paying to the unskilled surface workers only As. 0-8-0 per day as wages and to the unskilled underground workers only As. 0-10-11 per day. In the year 1946 there was a prolonged strike in Kolar Gold Fields and the companies were obliged to revise their wage schedule fixing As. 0-9-0 per day as the minimum for surface and As. 0-13-0 per day for the underground workmen. Again in the year 1947 owing to the discontent amongst the workers, the Companies revised their wage schedule further and increased the minimum and maximum of each grade for daily-rated workmen by As. 0-2-0 per day and the minimum wage for the surface and underground work was raised to As. 0-13-0 and Rs. 1-1-0 per day from As. 0-9-0 and As. 0-13-0 respectively. The Companies were paying very meagre dearness allowance and in the year 1947 the workers received Rs. 17-8-0 per month by way of D.A. On a demand made by the workers the Mysore Government appointed in 1948 a Pay Commission known as the K.G.F. Pay Commission. But the report of this commission bore no fruitful results. Again the Mysore Government appointed in 1949 a Committee known as the K.G.F. Minimum Wages Committee which recommended an increase in the minimum wage. But its recommendations were not given effect to by the Companies. In October, 1950 an agreement was reached between the Companies and their workmen by which the rate of dearness allowance was fixed at As. 0-2-3 per point over 100 in the

Cost of Living figures. But at the same time the payment of grain concession amounting to Rs. 2-9-9 per worker per month was discontinued. In 1954, the Government of India referred the wage dispute of the Kolar Gold Field workers to the Central Government Industrial Tribunal at Dhanbad for adjudication. That Tribunal gave its award only for the surface and underground unskilled workers and the question of fixing the wage scales for the other categories of workers was left to the management. On appeal against the said award before the Labour Appellate Tribunal of India, a settlement was reached between the parties but this settlement was not fully implemented and only unilaterally the companies revised the wage schedule with effect from 1st January, 1956. Under this revised wage schedule annexed to their statement of claims, the companies have classified the daily-rated workmen into 26 different grades and the monthly-rated into 18 different grades. Dividing the staff into numerous grades is a device on the part of the employers to beat down proper wages and make it impossible for employees to reach a fair and adequate maximum for the type of work they do. It is necessary for the purposes of fixing proper wage scales for all the categories of workers to classify them into the following main classes:—(1) Supervisory, (2) Highly-skilled, (3) Skilled, (4) Semi-skilled, (5) Heavy Manual and (6) Unskilled. Adequate scales in respect of these categories should be fixed running into a span of 12 years. The grades of wages with regular annual increments and also stepping up of wages for different categories should be based on degree of skill, experience involved, training required, responsibility attached, mental and physical requirements, the disagreeableness of the task, the attendant hazard, fatigue involved etc.

5. These workmen represented by Champion Reef Mine Labour Association have also filed an additional statement of claims whereby they say that the various jobs in the mines shall be classified into five main classifications viz. Highly-skilled, Skilled, Semi-skilled, Heavy Manual and Unskilled with the following grades:—

UNDERGROUND

Unskilled	Rs. 1- 4-0 to Rs. 1- 8-0
Heavy Manual	Rs. 1- 6-0 to Rs. 1-10-0
Semi-skilled	Rs. 1-10-0 to Rs. 2- 2-0
Skilled	Rs. 2- 6-0 to Rs. 3-10-0
Highly Skilled	Rs. 3-12-0 to Rs. 5- 4-0

SURFACE

Unskilled	Rs. 1- 0-0 to Rs. 1- 4-0
Heavy Manual	Rs. 1- 2-0 to Rs. 1- 6-0
Semi-skilled	Rs. 1- 6-0 to Rs. 1-14-0
Skilled	Rs. 2- 2-0 to Rs. 3- 6-0
Highly skilled	Rs. 3- 8-0 to Rs. 5- 0-0

They also suggest a detailed scheme of annual increments for all these five categories of workmen in the scales applicable to them.

6. The statement of claims filed by Mysore Mine Workers' Union on behalf of the workmen of the Mysore Gold Mining Co. (K.G.F.) Ltd. is practically the same as filed by Champion Reef Mine Labour Association. The Union submits that for the purposes of fixing proper wage scales for all the categories of workers, it is necessary to classify them into the following main classes:—(1) Supervisory, (2) Highly-skilled, (3) Skilled, (4) Semi-skilled, (5) Heavy Manual and (6) Unskilled. The Union has accordingly filed an additional statement suggesting classification of the various categories of workmen belonging to the Underground and Survey Departments and the Engineering, Metallurgical and Stores Departments together with the wage scales taking into account the nature with various other aspects of work, and skill involved. The Union has also filed a separate statement suggesting certain grades and pay-scales for monthly-rated employees.

7. The statement of claims of the workmen of the Kolar Gold Field Electricity Department and Kolar Gold Mines Power Station, (KGF), represented by the Kolar Gold Field Electricity Department Labour Association is as follows. They adopt the above-said statement of claims filed by the workmen of the Champion Reef Gold Mines of India (KGF) Ltd., represented by the Champion Reef Mine Labour Association. In addition they submit that the Kolar Gold Field Electricity Department is a central department of the three Mine Companies in Kolar

Reef Gold Mines of India (KGF) Ltd., and the Nundydroog Mines (KGF) Limited and is as such a common establishment of the said three Mincs. Hence the employers in relation to the workmen of this Department are the employers in relation to the three Mine Companies. The Kolar Mine Power Station (KGF) Private Limited is also jointly owned by the three Mining Companies in Kolar Gold Fields and is a common establishment for all the three Mines. The employers in relation to the workmen of the Power Station are therefore, the employers in relation to the three Mines Companies through the Chief Electrical Engineer of the Kolar Gold Fields Electricity Department. The wage rates and pay scales of the daily-rated and the monthly-rated workmen of the Electricity Department and the Power Station are the same as those in the Mincs of Kolar Gold Fields and have been fitted as per schedule of wages and pay-scales annexed to their statement of claims. After fixing the wage rates, pay scales and the grades for the monthly-rated and the daily-rated workmen of the Mine Companies, the Tribunal may be pleased to fit in the same the various classifications of jobs in the Electricity Department and the Power Station taking into consideration the nature of the job, skill, experience, training, responsibility etc. involved therein. These workmen have also filed an additional statement of claims saying that there should be five main classifications of jobs, viz. Unskilled Heavy-manual, Semi-skilled, Skilled and Highly-skilled and demanding certain scales with a regular scheme of annual increments as detailed by them. The scales asked for are:—

UNDERGROUND

Unskilled	Rs. 1- 4-0 to Rs. 1- 8-0
Heavy-Manual	Rs. 1- 6-0 to Rs. 1-10-0
Semi-skilled	Rs. 1-10-0 to Rs. 2- 2-0
Skilled	Rs. 2- 6-0 to Rs. 3-10-0
Highly-Skilled	Rs. 3-12-0 to Rs. 5- 4-0

SURFACE

Unskilled	Rs. 1- 0-0 to Rs. 1- 4-0
Heavy Manual	Rs. 1- 2-0 to Rs. 1- 6-0
Semi-skilled	Rs. 1- 6-0 to Rs. 1-14-0
Skilled	Rs. 2- 2-0 to Rs. 3- 6-0
Highly Skilled	Rs. 3- 8-0 to Rs. 5- 0-0

8. The statement of claims filed on behalf of the monthly-rated workmen employed by Nundydroog Mine, Champion Reef Mine, Mysore Gold Mining Co. and their Central Administration and allied Establishments, represented by the K.G.F. non-covenanted Officials Central Union is as follows: The existing grades of the monthly-rated employees of all the management companies have been prevailing since a very long time except for a slight adjustment in F Grade effected in 1953. The management, refused to revise the rest of the grades and this question was raised before the then Central Government Industrial Tribunal, Dhanbad. That Tribunal held the salaries of the monthly-rated workmen to be adequate on the mistaken notion that the grades demanded by the workmen were the grades existing at that time. The monthly-rated staff appealed against this mistaken finding and before the Labour Appellate Tribunal there was a settlement which provided *inter alia* that the revisions of grades of monthly and daily rated employees should be dealt with by one or more Committees of representatives of the management and the employees to be constituted by the management before 30th September, 1955. The said Committee was to endeavour to complete its task before the end of December, 1955. The K.G.F. non-covenanted officials' Central Union attempted to challenge this settlement by a petition on the ground that the officer bearers of this Union had no right to enter into an agreement without any authority of the General Body of the members. The Labour Appellate Tribunal passed an order stating its inability to interfere but also gave an opinion that no harm would be caused to the monthly-rated workmen if the contemplated committee could sit and decide the question of the revision of wages of monthly-rated non-covenanted officials. The Union accordingly approached the management to effect the revision but the management evaded the whole issue till the time prescribed under the settlement for effecting revision expired. The workmen had no other alternative except to raise an industrial dispute for the revision of the salaries of the monthly-rated employees and hence the present Reference. The grades of salaries demanded by the workers as per schedule (2) of their statement of claims are reasonable and fair, taking the standard of life of the employees into consideration. All the employees are middle class employees

long according to the trend of cost of living prevailing in K.G.F. Several non-covenanted officials are doing the same work as of a covenanted official and the management has provided innumerable amenities to the so-called covenanted staff. This unjust discrimination between officials doing the same work amounts to unfair labour practice. Having carried on mining operation for a period of 50 years and having paid to share holders 26 times their original share value, the company cannot be permitted to plead want of capacity for enhancement of salaries demanded by them. The new grades should be given effect to from January, 1952 when the original demand for the revision of the grades of the monthly rated workmen was made. Besides the rules should be laid down for the purpose of allocating the various categories of workmen to the various grades made effective from January, 1952.

9 In reply to the statement of claims filed by the Champion Reef Mine Labour Association on behalf of the workmen of the Champion Reef Gold Mines of India (KGF) Limited, the employers by their written statement after referring to the principles regarding fixation of fair wages as laid down by the Committee on Fair Wages, contend that the number of categories of employees and the number of grades depend upon the needs and peculiarities of each industry. By experience of over half a century the wage schedule for the Gold Mining industry on the Kolar Gold Field has been fixed after taking into consideration all relevant factors. In a specialised industry like Gold Mining, fixation of categories of employees and their grades is a complicated process and long experience is of great importance in fixing a suitable wage schedule. In the Gold Mining industry on the Kolar Gold Field, there were nearly 463 categories of employees in the year 1934 and these categories were revised in the year 1942 and reduced to 243 categories. In the year 1946, there was a further revision, and by agreement with the labour Unions the categories were reduced to about 160, and the grades to about 26. The Central Government Industrial Tribunal, Dhanbad by its award dated 31st December, 1954 revised the minimum basic wages of male workers of the Gold Mining Companies and fixed the minimum daily wage on surface at Re. 1 and underground at Rs. 1-4-0 going up to Rs. 1-4-0 and Rs. 1-8-0 respectively with annual increments of one anna. Though the disputes referred to the said Tribunal was for revision of wages, it fixed the minimum and maximum basic wages of unskilled workers as above directing an increase of three annas per day for all the categories of workers, and left the fixing of wages of the other categories for the workers to negotiate with the management. The representatives of workmen and management met and discussed the revision of wages and categories of workmen but they could not arrive at a settlement regarding the revision. Hence the management went into the question in great detail and taking all aspects into consideration revised the grades by raising the minimum of all the grades by three annas and the maximum also by three annas and more. Four grades of daily-rates were converted into monthly-rates with advantage to the workmen. The rates fixed in the present revised wage schedule as per Annexure 'A' to their written statement are fair, reasonable and comparable with rates fixed for similar categories of workmen in industries similarly situated. It is not practicable to reduce the number of grades to 5 as suggested on behalf of the workmen; about 160 categories of workmen cannot be brought under five grades. Any attempt to reduce the number of categories of employees or grades of wages will upset the entire wage structure and give rise to many anomalies. Further it will be impracticable to fit in the workmen at present on the rolls into the grades. The fixing of the minimum basic wage at Re. 1 on surface and Rs. 1-4-0 underground, and the grant of a flat increase to every workmen, have increased the labour cost of the Mysore Gold Mining Co. (KGF) Ltd., the Champion Reef Gold Mines of India (KGF) Ltd., and the Nundydroog Mines (KGF) Ltd., by Rs. 4.13 lakhs, Rs. 3.18 lakhs, and Rs. 3.48 lakhs per annum respectively. By giving effect to the existing revised wage schedule there has been a further increase in the labour cost of the said three companies by Rs. 48,000, Rs. 58,000 and Rs. 45,000 per annum respectively. The full effect of the revision will only be felt in the years to come in that the maxima of certain lower grades in the schedule have been further increased and in certain grades biennial increments have been altered to annual. Thus the companies are unable to bear any further rise in the wage bill. After the award of the Central Government Industrial Tribunal, Dhanbad a termination gratuity scheme was instituted for the workmen by the Labour Appellate Tribunal in the case of the Nundydroog Mines (KGF) Ltd. and by agreement between the parties in the case of the Mysore Gold Mining Company (KGF) Ltd., and the Champion Reef Gold Mines of India (KGF) Ltd. and the Allied Establishments. This also has caused a considerable rise in the cost of production. The Mines are being worked for the last more than 50

years and as the Mines go deeper the cost of production increases. The Champion Reef and Mysore Mines are past their most productive years and cannot continue indefinitely as the ore will be exhausted. In the case of the Nundydroog Mine, though there is prospect of the mine continuing for many years by reason of the discovery of a new reef about seven years back, the reef requires development for which considerable sums of money have to be spent. The prosperity of a gold mine depends to a great extent upon the price at which the gold produced can be sold. The cost of production of gold cannot be passed on to the consumer as in the case of coal or any other essential commodity. The producers have no control on the price of gold. Unless production costs are kept within economic limits, within the price that gold can fetch in the market, the industry cannot be carried on economically. The revision of grades demanded by the workmen for the daily-rated (inclusive of conversion of some daily-rated to monthly-rated) will cost the Mysore Gold Mining Co. (KGF) Ltd., the Champion Reef Gold Mines of India (KGF) Ltd., and Nundydroog Mines (KGF) Ltd., about Rs. 5.40 lakhs, Rs. 6.80 lakhs and Rs. 5.00 lakhs per annum respectively. This additional expense if incurred will leave no margin for depreciation and development expenditure which is most essential for the maintenance and longevity of the gold mining industry and will leave nothing for return on capital. The profits received by the Gold Mining Companies in the past have no relevance to the revision of wages at the present time. The present position of the Mines, the future prospects, the present cost of production and the price of gold are the relevant factors that have to be considered in revising the wage rates. The profits received in the past are not fabulous when compared to the profits made by gold mines in other parts of the world. The profits of the Companies for the last five years or more are meagre. Consistent with the wage rates prevailing during the past years in different parts of the country, the workmen of the Gold Mining industry in the Kolar Gold Field have received a fair deal. It is not every category of work that is arduous or fatiguing and each industry has its own category of work comparatively arduous and fatiguing. It is denied that the management failed to implement the terms of settlement arrived at between the parties before the Labour Appellate Tribunal. The revision of wages by the management unilaterally became inevitable in the interest of the workmen as no agreement was reached between the representatives of the workers and the management. The revised wage schedule was given effect to from 1st January, 1956; it was not agreed to give effect to the revised wage rates from 16th September, 1954. What was agreed to be given effect to from 16th September, 1954 was the increments awarded by the Dhanbad Tribunal and that has been complied with.

10. As against the statement of claims filed by the Mysore Mine Workers' Union on behalf of the workmen of the Mysore Gold Mining Co. (K.G.F.) Ltd., the employers have filed a written statement which is practically the same as their aforesaid reply to the statement of claims filed by the workmen of the Champion Reef Gold Mines of India (K.G.F.) Ltd.

11. As the workmen of the Kolar Gold Field Electricity Department and the Kolar Mines Power Station (KGF) Private Ltd. have adopted the statement of claims filed on behalf of the workmen of the Champion Reef Gold Mines of India (KGF) Ltd., the employers have as against these workers relied on the same written statement as aforesaid filed by them in answer to the statement of claims on behalf of the workers of the Champion Reef Gold Mines of India (KGF) Ltd. In addition, they say that the Kolar Mines Power Station (KGF), Private Ltd. is a distinct legal entity though all the shares in it are held by the three gold mining companies. The wages applicable to the employees of the Kolar Gold Field Electricity Department are applicable to the employees of the Kolar Gold Mines Power Station (K.G.F.) Private Limited also. The classification has been made taking all the factors into consideration by experience and the wage rates given to the workers are fair and reasonable and call for no revision. The classification of the several categories of workmen under the five categories proposed by the Union is impracticable and will create anomalies and difficulties in fitting the existing workmen on the rolls into the grades. The classification of workmen and the rates of wages suggested in the additional statement of claims filed by these workers and the scales of increments, cannot be accepted. It is not possible to fix the rates for heavy manual, semi-skilled, skilled and highly-skilled as proposed by the workmen. The rates of increments and the period over which they are given do not call for any revision either nor can the increments be increased annually.

12. The employers in answer to the statement of claims filed by the K.G.F. Non-covenanted Officials Central Union have filed the reply statement as follows. It is that schedule I to the statement of claims of the K.G.F. Non-covenanted

Officials Central Union contains the existing grades of salary to the monthly-rated employees of the Gold Mining Companies and their allied establishments, but the rates in F and G. grades, as they exist now, are Rs. 40 to Rs. 60 and Rs. 25 to Rs. 55. The scales of pay fixed in the monthly-rated wage schedule are fair and reasonable and compare favourably with the scales of pay fixed for similar categories of employees in other industrial establishments. The raising of the minimum pay for clerical appointments is no reason for revising the pay for all other grades. In pursuance of the compromise entered into before the Labour Appellate Tribunal, representatives of the workmen and the management met to consider the revision of grades of monthly-rated workmen also and as no agreement could be reached, the management revised the grades F. and G. and gave effect to the revised grades and there was no question of evading the issue of revision of wages as alleged. The emoluments and benefits to covenanted staff, who are highly qualified personnel for maintaining efficiency in a highly technical industry, cannot form a standard of comparison for the purpose of emoluments to clerical and other monthly-rated employees. The responsibilities are altogether different and it is impracticable to give to the monthly-rated workmen the same rated of salaries, benefits and amenities that are given to covenanted staff. There is no discrimination or unfair labour practice in fixing the wages of the monthly-rated workmen. The dividends distributed in the past cannot form the basis for revision of wages. The present capacity of the industry and the future prospects are the relevant factors. The Mines are being worked for the last more than 50 years and as the Mines go deeper the cost of production increases. The Champion Reef and Mysore Mines are past their most productive years and cannot continue indefinitely as the ore will be exhausted. In the case of the Nundydroog Mine, though there is prospect of the mine continuing for many years by reason of the discovery of a new reef about seven years back, the reef requires development for which considerable sums of money have to be spent. The prosperity of a gold mine depends to a great extent upon the price at which the gold produced can be sold. The cost of production of gold cannot be passed on to the consumer as in the case of coal or any other essential commodity. The producers have no control on the price of gold. Unless production costs are within economic limits, within the price that gold fetch in the market, the industry cannot be carried economically. The monthly rated workmen are not entitled to any of the reliefs claimed and that with effect from the year 1952. The accounts of the years up to 1st January, 1956, have been closed.

13. Before we proceed with the consideration of the main dispute which forms the subject-matter of the Reference, it has to be noted that during the pendency of the Reference the Gold Mines of the Kolar Gold Fields, Mysore have been nationalised and now the employer in relation to the said Mines is the Mysore State represented by a Board of Management. It appears that in 1955 the Government of Mysore announced their intention to nationalise the gold mining industry of the Kolar Gold Fields. In the result of certain negotiations with the Mining Company, a Bill named the Kolar Gold Mining Undertakings (Acquisition) Bill, 1956, was published in the Mysore Gazette Extraordinary, dated September 29, 1956. This Bill was passed by the Mysore State Assembly embodying the terms agreed upon with the mining companies and providing substantial safeguards and guarantees for all grades of employees working in the Mines. In this manner on 29th November, 1956, the Management of the Gold Mines of the Kolar Gold Fields passed from the private sector to the public sector under the provisions of the Kolar Gold Mining Undertakings (Acquisition) Act, 1956, as per the Notification published in the Mysore Gazette Extraordinary, dated November 26, 1956. Under the Government Notification No. 1 5305-Geo. 84-56-21 Bangalore, dated 26th November, 1956, read with sub-section 1 of section 3 of the Kolar Gold Mining Undertakings (Acquisition) Act 1956 (Mysore Act 22 of 1956), the Undertakings of the Mysore Gold Mining Co. (KGF) Ltd., the Champion Reef Gold Mines of India (KGF) Ltd., The Nundydroog Mines (KGF) Ltd. and the Kolar Mines Power Station (KGF) Private Limited, stood transferred to and vested in the State on the 29th of November, 1956. The Government of Mysore accordingly constituted the following Board of Management for the Kolar Gold Mining Undertakings, so vested in the State:

1. The Chief Minister of Mysore (Chairman).
2. The Vice-Chairman and Managing Director (Member).
3. Secretary to the Government of Mysore, Finance Department (Member).
4. The Director of Mines and Geology in Mysore (Member).

Section 3(5) of the Acquisition Act provides *inter alia* that after the vesting date, all legal proceedings of whatever nature pending by or against any company

immediately before the vesting date, may as from that date be continued or enforced by or against the Government and shall cease to be enforceable by or against the Company and section 5 of the said Act deals with the transfer of service of employees of the Companies to the State. An application was therefore, filed by the Board of Management, Government of Mysore, the Kolar Gold Mining Undertakings, stating that the Undertakings of the Companies mentioned in schedule I to the Notification No. S.R.O. 2023, dated 30th August, 1956, by the Government of India, Ministry of Labour referring the present dispute mentioned in schedule II to the said Notification for adjudication, stand transferred to and are vested in the State of Mysore, by virtue of section 3 of the Kolar Gold Mining Undertakings (Acquisition) Act, 1956; that the Government of Mysore by their Order No. 12-5336-47/K.G.U. 1-56-1, Bangalore, dated 28th November, 1956, have constituted a Board of Management for the Kolar Gold Mining Undertakings which are vested in the State of Mysore; that the Board of Management, Government of Mysore, Kolar Gold Mining Undertakings may, therefore, be impleaded as employer. The Unions also by their respective applications submitted that Mysore State is a necessary party to the dispute and should be added as such in the Reference in accordance with the section 18(b) of the Industrial Disputes Act, 1947. The then Industrial Tribunal, therefore, made an order dated 19th December, 1956, whereby in order to have an effective adjudication of the dispute pending, the Board of Management of the Kolar Gold Mining Undertakings was impleaded as an additional party in the Reference.

14. The Board of Management, Government of Mysore, The Kolar Gold Mining Undertakings on being impleaded as party has adopted the reply statements aforesaid filed by the original employers saying that after the acquisition of the Undertakings, the Undertaking of the Nundydroog Mines (KGF) Ltd. is now called "The Kolar Gold Mining Undertakings (Nundydroog Mine)", of the Champion Reef Gold Mines of India (KGF) Limited as "The Kolar Gold Mining Undertakings (Champion Reef Mine)", of the Mysore Gold Mining Company (KGF) Ltd. as "The Kolar Gold Mining Undertakings (Mysore Mine)", The Kolar Gold Field Electricity Department as "The Kolar Gold Mining Undertakings (Electricity) Department", The Kolar Mines Power Station (KGF) Private Ltd. as "The Kolar Gold Mining Undertakings (Mines Power Station)", the Kolar Gold Field Medical Establishment as "the Kolar Gold Mining Undertakings (Medical Establishment)" and John Taylor and Sons (India) Private Limited—Kolar Gold Field Central Administration as "The Kolar Gold Mining Undertakings (Central Administration)".

15. In the Reference thus at the time of the hearing the employer, namely, the Mysore State in relation to the Kolar Gold Mining Undertakings was represented by the Managing Director, and the labour was represented by the Unions, viz. the Mysore Mine Workers' Union, Champion Reef Mine Labour Association, Nundydroog Mine Labour Association, K.G.F. Electricity Department Labour Association and K.G.F. Non-covenanted Officials Central Union.

16. The dispute in the Reference relates to the fixation of grades of wages for monthly and daily rated workmen together with retrospective effect and the method of adjustment in the new grades. In the past several attempts seem to have been made in revising the wages of the monthly and daily rated workmen either unilaterally or by agreement with labour or on intervention of the then Mysore State. For the first time in the year 1954 certain references were made by the Central Government for adjudication of an industrial dispute between the K.G.F. Gold Mining Companies and their Workmen to the Central Government Industrial Tribunal at Dhanbad. The dispute related to three subjects, viz. (1) Revision of wages, (2) Termination Gratuity, and (3) Bonus for the year 1952. For our present purpose, we are concerned with the question of revision of wages and what the Dhanbad Tribunal did in this connection in the said References. It appears that so far as the daily-rated workers were concerned, the Dhanbad Tribunal merely prescribed the minimum wages of pay for unskilled surface workers at Re. 1 to Rs. 1-4-0 with an annual increment of 1 anna per day every year and Rs. 1-4-0 to Rs. 1-8-0 for unskilled underground workers with the same annual increment of 1 anna per day every year. In doing so the Tribunal observed:

" It was agreed before me that I might fix the minimum wages and the management would revise the wages of all categories of workers on basis thereof and the workmen would try to negotiate with the management in seeing that the wages were fixed reasonably. In view of this, I do not give any direction about the fixing of wages of other categories of workers; but I do hold that there should be a minimum increase of Re. 0-3-0 per day for all categories of workers "

For the monthly-rated staff the Tribunal did not order any revision of pay with the remarks:

"Regarding the wages of monthly rated workers, the scales of pay for the monthly rated staff have been revised from 1st January, 1953. The last grade which is known as "E" grade has been revised to Rs. 60-5-90 (from Rs. 35-4-55). Mr. Ramachar who represented the non-covenanted staff conceded that this revised scale of 'E' grade was reasonable. He, however, urged that the higher grades should be revised. The revised grades known as 'A' to 'D' are:

- A. Rs. 355-15 -475.
- B. Rs. 220-12½-345.
- C. Rs. 150-10 -210.
- D. Rs. 100- 7½-145.

No materials have been placed before me to justify a revision of these wages which appear *prima facie* to be reasonable....."

It is an undisputed fact that the said ABCD grades were not the revised grades as then existing but these were the revised grades demanded and obviously no revision was attempted on a mistaken belief that what was asked for was already being paid. In fact the then existing ABCD grades were:—

- Rs. 295-12-415.
- Rs. 200- 8-280.
- Rs. 140- 5-190.
- Rs. 95- 5-135 respectively.

As regards the dearness allowance, the Tribunal held that no change was necessary in the dearness allowance then paid under an agreement dated 23rd October, 1950, between the management and the Unions whereby dearness allowance was linked to the cost of living index for Kolar Gold Fields and it was provided that the monthly dearness allowance should be calculated at the rate of Re. 0-2-3 for every point in excess of 100 in the index figure and that these rates should come into effect from 1st September, 1950. Thus in the matter of revision of wages practically nothing was done except allowing the aforesaid flat increase of Re. 0-3-0 per day for all categories of workers and laying down respective minimum wages of pay for unskilled surface workers and unskilled underground workers with retrospective effect from 1st April, 1954. Against this award both the parties filed appeals before the Labour Appellate Tribunal of India and there a decision was made in terms of settlement on 15th September, 1955. The settlement provided *inter alia* that the revision of grades of monthly and daily rated employees should be dealt with by one or more Committees of representatives of the management and the employees to be constituted by the management before 30th September, 1955 and the committee should endeavour to complete its task before the end of December, 1955. Both the parties have now tried to find fault with each other as to how this settlement bore no successful result and it is no use inquiring who is to blame in the matter. The fact remains that the revision could not take place within the time and in the manner provided for in this settlement and the management accordingly effected the revision unilaterally with effect from 1st January, 1956. It is this revised wage schedule which is in force at present.

16. The main question arising before us, therefore, is whether the existing wage schedule considered *infra* should be revised and to what extent if any in order to determine the grades of wages for monthly and daily rated workmen. Before taking up this question, the history, the working of the Gold Mines of the Kolar Gold Fields and the nature of the industry may briefly be referred to. The Gold Mines of the Kolar Gold Fields have been working continuously for more than 75 years and there are now three mines working on the Fields—the Mysore Mine, The Champion Reef Mine and the Nundydroog Mine—which adjoin each other. During the 75 years since organised gold mining on the Kolar Gold Fields started, many mining companies were floated and eventually the number of operating mines was reduced to five. In 1931 the Balaghat Mine was taken over by the Nundydroog Company and in 1953 the Oregum Mine was amalgamated with Champion Reef Mine leaving only the aforesaid three mines. At the request of the Mysore Government new companies were formed and registered in India in 1950 the share capital of which was totally owned by the original British Companies. At the same time, the place of business was transferred from London to the Kolar Gold Fields and Messrs. John Taylor & Sons formed a

circumstances stated above, the Mines were nationalised by the State of Mysore and on 29th November, 1956 the Management of Mines passed from the control of British private enterprise into the hands of the Government of Mysore as a national venture. For this purpose the Mysore Government took over all the assets and liabilities of the mining companies in India for a net payment of Rs. 1,64,00,000 and thus under the Act of Nationalisation the Mysore Government acquired the Mysore, Champion Reef, and Nundhydroog Mines together with the Kolar Mines Power Station and the Kolar Gold Field Hospital. These enterprises constitute the largest industrial unit in the Mysore State providing employment for nearly 20,000 persons. The gold mining industry had been a source of revenue to the Government of Mysore in the shape of royalty and taxation and besides, the Government made further income on account of sales of power, water and timber to the mines. Most of the production has come from one gold-bearing quartz reef, known as the Champion Lode, which passes through all the mines. Closely parallel to and possibly connected with the Champion lode are a number of smaller eastern and western branches which have also yielded appreciable tonnages of payable ore. Each mine maintains its own Survey Department, the duties of the survey staff being many including the surveying of all underground and surface workings and the preparation of accurate plans and models in which are embodied data relating to the lodes exposed and all associated geological features.

17. A pamphlet issued by the Kolar Gold Mining Undertakings on the occasion of the Mines Day on 30th November, 1957, provides the information under the heading 'Working Costs' at page 13 thus:—

"The following figures show the cost of mining for the year 1956. It is of interest to note that of the total cost the wages of daily rated employee's account for no less than Rs. 28·46 per ton or 43·3 per cent. If the industry is to survive, the degree of mechanisation of the mines must be increased to enable the workers to raise their output and so counteract the steady increase in the price of supplies and materials and the high cost of ultra deep mining.

During this year a total of 651,169 tons of ore were milled with a resultant production of 191,372 fine ounces of gold. The cost of production per ton charged against the revenue account was Rs. 65·71 made up as follows:

	Rs.
Mining	32·83
Ventilation	2·61
Air-Conditioning	1·60
Ore transport	1·44
Ore treatment	6·23
Surface costs and Upkeep of buildings	4·19
Management, Administration and other charges	6·35
Development	10·46
TOTAL	65·71 per ton

TABLE I
Production and Value Figures

Year	Production		
	Tons	Ounces	Value
(1)	(2)	(3)	(4)
			Rs.
1947	5,08,217	1,71,281	4,92,41,000
1953	5,19,554	1,80,085	5,44,58,000

(1)	(2)	(3)	(4)
1949	4,49,174	1,60,992	4,92,64,000
1950	5,70,310	1,89,828	5,74,87,000
1951	6,70,530	2,16,450	6,43,30,000
1952	7,11,208	2,43,629	3,79,26,000
1953	6,10,993	2,11,124	4,83,30,000
1954	6,29,466	2,22,029	5,23,78,000
1955	5,86,787	1,94,544	4,90,43,000
1956	6,51,169	1,91,372	5,28,10,000

Production

Ore	2,000 Tons per working day.
Gold	600 Ounces per working day.

In the same pamphlet at page 22 we find that the average daily number of employees is nearly 20,000 of whom 64 per cent work underground, and 36 per cent on surface. Over 75 per cent of the employees are occupying mining houses and many more share this accommodation. The remainder live in villages on the outskirts of the mining area or in the townships of Robertsonpet and Andersonpet adjoining the Kolar Gold Field.

18. The concerned workmen are the daily-rated underground and surface and the monthly-rated belonging to the office establishment and works department (Underground and surface) As on 30th June 1957 the following was the number of the monthly-rated and daily-rated workmen:—

The Champion Reef Mine	} 560 monthly-rated ;
	} 5022 daily-rated.
The Mysore Mine	} 532 monthly-rated ;
	} 5916 daily-rated.
The Nundydroog Mine	} 395 monthly-rated ;
	} 5058 daily-rated.
Electricity Depot.	} 173 monthly-rated ;
	} 443 daily-rated.
Power Station	} 14 monthly-rated ;
	} 27 daily-rated.

The parties have filed their respective statements showing the grades and wage rates of these monthly-rated and daily-rated workmen as they existed prior to the award dated 31st December, 1954 of the Dhanbad Tribunal and the same as they stood according to the revision made in pursuance of the directions in the award of the Dhanbad Tribunal as well as in pursuance of the unilateral revision effected by the then management as above with effect from 1st January, 1956, after the decision in terms of settlement before the Labour Appellate Tribunal. Under the latter revision A, B, C, D of daily-rated were converted into monthly rated

to the existing grades and wage rates of both monthly and daily rated workmen together with their job descriptions. The wage payments are based upon a standard schedule for all occupations and the rates are uniform on all the mines, providing for a minimum wage for each occupation progressing to a maximum by standard increments. The current minimum rates are Rs. 1-25 and Re. 1 per day for unskilled underground and surface workers respectively as prescribed in the award of the Dhanbad Tribunal. In addition to the basic daily wage, a dearness allowance directly linked to the cost of living index at Re. 0-2-3 per point rise above 100 is paid and at present it amounts to about Rs. 42-50 per month. I was told that in the month of April, 1958, it came to Rs. 43-1-0 for daily-rated workers. In recent years, the earnings of daily paid workers which averaged Rs. 26-60 per month in 1939, rose to Rs. 68-10 in 1949 and in 1956 amounted to Rs. 107-10. The total wage bill including benefits and statutory payments amounted to Rs. 80,60,362 in 1939 for 25,222 employees and rose to Rs. 1,68,01,530 for 20,559 employees in 1949. In the year 1956, the total wage bill for 1711 monthly rated employees and 17899 daily-rated employees, i.e. in all 1910 employees was Rs. 2,21,98,000 excluding other benefits vide Ex. M.21. The statement Ex. M-20 (as also Ex. 13) gives the wage bill for the month of April, 1958 for 1842 monthly rated and 17229 daily-rated, i.e., in all 19071 employees amounting to Rs. 19,44,000. In addition to dearness allowance a number of benefits are allowable to workers which include Provident Fund and Termination Gratuity, Annual privilege leave, sick pay, sick leave and accident pay, attendance bonus, production bonus for certain categories of labour and clothing allowance for underground workmen—vide the statements Exs. M11 and M12 showing the total earnings of the underground and surface workers. Many essential welfare amenities are also provided free of charge, as for instance there is the K.G.F. Hospital extending free medical and surgical service and the canteen where tea and snacks are sold at nominal rates. Out of those provided with housing accommodation, daily-rated have to pay only a rent of 8 annas to Re. 1 and the monthly rated Rs. 3 to Rs. 7 per month. Under the Provident Fund Scheme both sides equally contribute at 6½ per cent of basic wages plus half of D.A.

19. The main contention on behalf of the management in opposing any further revision in the existing wage rates has been that looking to the present position of the industry as well as its future prospects, it cannot bear any additional burden in the shape of rise in wages. It was pointed out from the statements Exs. M-5 to M-10 that the total financial burden cast under the revision as per directions in the award of the Dhanbad Tribunal as well as under the voluntary revision effected by the management with effect from 1st January, 1956, was respectively Rs. 3-48 lakhs plus Rs. 45,000 i.e., in all Rs. 3,93,000; Rs. 3-18 lakhs plus Rs. 58,000 i.e. in all Rs. 3,76,000; and Rs. 4-13 lakhs plus Rs. 48,000 i.e. in all Rs. 4,61,000 per annum in the case of the three mines—viz. Nundydroog Mine, Champion Reef Mine, and Mysore Mine. There are on record the Balance Sheets of the past ten years with a consolidated statement thereof as per Ex. M-3 and the statement Ex. M-4 indicates the present position after nationalization. Whatever may have been the prosperity of the industry in the past, it has now to be borne in mind that the Mines are being worked for the last several years and the ore reserves have been steadily declining. The deeper the Mines go, the cost of production increases. And the cost of production of gold cannot be passed on to the consumer inasmuch as the producers have no control on the price of gold. Unless therefore production costs are kept within economic limits, within the price that gold can fetch in the market, the industry cannot be run economically. The future of the mines in respect of the output as well as profit earning capacity of the industry will very much depend upon the results of an active programme of exploration and development for which purpose considerable sums of money have to be spent. It has also been urged on behalf of the management that we do not know what considerations originally prevailed in fixing the wage structure when first introduced and though in the year 1934 there were nearly 463 categories of employees, these were revised in the year 1942 and reduced to 243 categories with the further reduction in the year 1946 bringing down the categories to 160. If the existing categories were disturbed new anomalies might be created and it would be difficult to place the workers in the new proposed grades.

20. On behalf of labour, I was addressed by two groups of Unions, one represented by Shri Rao with Shri Govindan and Shri Narasimhan and the other represented by Shri Ramachar with Shri Thimmayya. For brevity's sake I shall hereafter refer to these two groups as Shri Rao's Unions and Shri Ramachar's Unions. Shri Rao contended that since after the nationalisation of the industry the question of capacity is irrelevant and the payment of fair wages at least, if

not living wage should be the aim of the State with its unlimited resources under the directive principles set out in the Constitution Part IV especially in Article 42. This is practically a monopoly concern with an output of the largest percentage of the total gold produced in India. The income might depend on various factors over which the workers have no control, namely the quality of gold and the market price but if the figures in Ex. M-4 were seen, the production is going up indicating more work on the part of the workers and if the income is less it may be due to the fall in the grade of ore. If they have not built sufficient reserves for further exploration and development as the greater part of the profits was diverted to England in the time of the old British Companies they are to blame and the reserves should come, if necessary, out of fresh capital and not out of profits so as to deny the payment of adequate wages to labour. Shri Rao laid greater stress on the fact that under the settlement before the Labour Appellate Tribunal there was an agreement to revise and that revision has to take place irrespective of any question of capacity to pay. He strenuously disfavoured so many sub-divisions or different grades which give rise to favouritism and stagnation of the workers' wages at a certain maximum; and while claiming revision of wages with point to point adjustment and promotions to higher grades as a matter of rule, he besides the skill involved in the work referred to the arduous and hazardous nature thereof at great depths underground in the Mines. Shri Ramachar seemed not to have much quarrel with the existing grades but what he contended was that the minimum as well as the maximum should be stepped up in all the wage rates and the increments instead of biennial should be annual with a span of 10 years. According to him the increments given by the Dhanbad Tribunal to the daily-rated work out at 17 per cent on the basis of the Minimum Wage fixed by it. He pointed out that under the existing wage structure, wages of the daily-rated workmen go up to the maximum of Rs. 3-13-0 and those above are treated as monthly rated, but the rule should be to treat even those getting Rs. 3-13-0 as monthly rated. He referred to the existing service rule No. 6 and contended that this rule should not affect the continuity of service of the re-employed persons for the purposes of grade and scale to which they would be entitled. He desired that as against the existing grades and scales for the monthly-rated office establishment and works Department (underground and surface), the same should be as proposed in their statement Ex. U-5 and the daily and monthly rated in the Electricity Deptt. and Power Station should be given the same grades and scales as in the Mines. He also urged that the monthly-rated who did not benefit under the award of the Dhanbad Tribunal should at least be given 12½ per cent increase in the minimum and maximum.

21. In my opinion simply because the State is the owner of the Kolar Gold Mining Undertakings, it does not necessarily mean that the wage rates of the concerned workmen should indiscriminately be increased with no consideration to the financial position of the industry as such. Even if the State be the owner, the industry has to be run on an economic line and it should not be a drain or burden on the State Exchequer. The directive principles of State Policy in Chapter IV inclusive of Article 43 of the Constitution are meant for general guidance in the governance of the country and do not constitute any legal rights or obligations to be enforced forthwith. It cannot be gainsaid that the mines have been working for the last number of years and in order to run the same economically, there should be enough money to flow back for further expansion and tapping new resources. The State is not expected to run the industry on any un-profitable line, though there should not be the profit motive as in the case of a private enterprise and ordinarily the income from the industry must provide for its running expenses including the labour charges. We have also to bear in mind the factor relating to certain development schemes and the same as per revised recommendations under the 2nd Five Year Plan have been referred to in a Note by the Managing Director, Kolar Gold Mining Undertakings thus:

"A Five Year Plan for Rs. 303 lakhs was prepared and submitted to the Planning Commission. After discussions at Delhi and after taking into consideration the acute shortage of foreign exchange, the Plan has been revised so as to include only such schemes which are expected to yield either additional income or continue the longevity of the Mines. The revised plan outlay was of the order of Rs. 218.01 lakhs. The foreign exchange required was also reduced from Rs. 64 lakhs to Rs. 28 lakhs. The State Government also addressed the Planning Commission for their concurrence to include the revised schemes in the State Plan within the ceiling limits for the State. However, owing to the difficult position, only six of the schemes were finally approved by the Planning Commission, involving an

expenditure of Rs. 94.50 lakhs during the Plan period. The foreign exchange required will be Rs. 23.50 lakhs for the above six schemes."

Thus if these schemes under the 2nd Five Year Plan are to be successfully carried out, there must be some margin of money left with the State out of the earnings of the industry, especially when the State has already lost a large income in the shape of royalty which the old Private Companies paid prior to nationalization. Along with the fact that the mines have already been worked for a long time and the present situation facing the Mysore Mine is rather serious, it is to be remembered that the deeper the mines go, there is less economic return in consequence of higher cost of production. Besides, I was told that this is not an industry in which the increase in the cost of production of gold can be passed on to the consumer by corresponding rise in the price of gold. Really speaking the producers have no control on the gold price which very much depends on market fluctuations and unless production costs are kept within economic limits and within the price that gold can fetch in the market, the industry cannot be carried on profitably and economically. We have, therefore to be cautious before casting heavy financial burden on the industry by means of revision in the existing wage structure.

22. Notwithstanding all that has been said above, there cannot be two opinions that some revision within proper bounds is called for as overdue. Since before the time when the aforesaid references were made to the Dhanbad Tribunal the labour has been clamouring for revision in the wages and some how or other no such revision took place either under the award of the Dhanbad Tribunal or in pursuance of the settlement before the Labour Appellate Tribunal. It was really good of the then management that they voluntarily introduced a revised wage schedule with effect from 1st January, 1956, as it exists at present. But after all it was a one-sided business carried out unilaterally and not after taking labour into confidence or under an agreement with the Unions. I do concede, as it was tried to suggest on behalf of the employers by citing certain authorities, that the fixation of wages is a long term plan and the revision introduced by the management so early as 1st January, 1956, should not be lightly interfered with except for cogent reasons. If this revision had really taken place under an agreement with the Unions or on the line of the settlement arrived at before the Labour Appellate Tribunal, then certainly except for any material change in circumstances, the workers would not have been justified in demanding any further revision in so short a time. But in the case before us the wage revision for which the labour has been agitating for the last several years has not taken place in the manner satisfactory to them and in my opinion there is no propriety in saying that the present demand of the workers for revision should altogether be rejected. In the aforesaid pamphlet relating to the Kolar Gold Mining Undertakings, it has been mentioned that "an industry as complex and dangerous as that of deep mining calls for the closest confidence and co-operation between workers and staff." In such a case it is all the more necessary that the labour force remains contented by being provided with suitable wage structure. Fortunately, during the course of the hearing the management realised that something should be done in the matter of revision and the labour too in order to accommodate the management reduced their claim to an appreciable extent with the result that much of the difference between the parties regarding grades and wage rates has been bridged and they have come nearer in solving the problem and thus facilitating my task.

23. As said above the statements Exs. M-1 and M-2 filed by the employers indicate the existing grades and wage rates of both monthly and daily rated workmen together with their job descriptions. Originally Shri Rao's Unions demanded revision as per Exs. U-1, U-2 and U-4 for monthly and daily rated workmen in the mines and Electricity Deptt. but later on, the earlier demands were modified as per statements Exs. U-7 and U-8 and Shri Ramachar's Unions submitted a similar statement U-9 for monthly rated employees. Shri Rao's Unions still further modified their demands by the statements last filed—viz. Ex. U-10 with three appendices and Ex. U-11. At first the management filed the statement Ex. M-14 for revising grades in case revision is to take place and on further negotiations with the Unions the management filed another statement Ex. M-16 (with 4 sheets) for the purpose. Thus the statements Exs. M-14 and M-16 on the side of the management and the statements Exs. U-9, U-10 and U-11 on the side of the workers are the latest statements which should guide us in our ultimate decision. It may be noted here that under the statement Ex. U-11 there was a demand for converting certain daily rated workmen into monthly-rated workmen but this contention has since been given up and these workers are to continue to remain as daily-rated and are to be covered under the new

grades proposed for them. Thus no daily rated workers are to be converted into monthly-rated, though the existing position under which those getting above Rs. 3-13 to be treated as monthly rated is to continue. In support of their demands the workers have filed the statement Ex. U-12 showing the wage rates prevailing in the Hindustan Aircraft Limited, Bangalore, which according to the management is a Central Government Concern where the categories employed are of a highly specialised character. The management have urged that though there is no exactly comparable concern, the wage rates under the colliery award as well as those prevailing in copper mining in Bihar (Ex. M-15) may be referred to with advantage. The management have also pointed out that the overall increase in the wage bill of the monthly-rated and daily-rated will be Rs. 3.59 lakhs per annum as per the management's proposals and if the proposals of the Mysore Mine Workers' Union were accepted, it will go upto Rs. 18.19 lakhs per annum as shown in Ex. M-18A. The management have also filed the statement Ex. M-19 showing Rs. 3.2 lakhs per year as cost of 12½ per cent increase in basic wages to all monthly rated employees who did not benefit under the award of the Dhanbad Tribunal.

24. Taking up first the question of the daily-rated workmen, the management have suggested the following classification in Ex. M-16:

Underground.—Unskilled I, Unskilled II, Semi-skilled I, Semi-skilled II, Skilled I, Skilled II, Highly-skilled I, Highly-skilled II.

Surface.—Unskilled I, Unskilled II, Semi-skilled I, Semi-skilled II, Skilled I, Skilled II, Highly-skilled I, Highly-skilled II, Highly-skilled III.

So far as the surface daily-rated workmen are concerned, the Unions are in general agreement with the revised classification as proposed by the management *vide* appendix I to the statement Ex. U-10. As for the underground daily-rated workmen, it has been urged on behalf of the workers that instead of the 8 grades as proposed by the management there should be one additional grade so that in unskilled there will be three grades—*viz.* unskilled I, unskilled II, and unskilled III. In unskilled I the same categories as shown by the management should be placed except the existing category V-15 which should be assigned the grade unskilled II and those placed by the management in the grade unskilled II should go under the grade unskilled III. Thus practically the difference lies only in regard to the workmen covered under the existing grade V-15—*viz.* serial numbers 4, 5, 6, 8, 9, 10, 11 & 12 amongst the daily rated in the statement Ex. M-1 giving the occupational nomenclatures and job descriptions. I was told that the category at serial number seven is not now existing and all the remaining categories under the grade V. 15 should be assigned the grade unskilled II, inasmuch as the nature of their work stands no comparison with the work of an ordinary labourer. It was pointed out that they numbering in all 4,000 have to do the most arduous work underground and they constitute an altogether different category by itself amongst the unskilled. On behalf of the management it was argued that these workers should remain in unskilled I as these are the workers who got the benefit of the award of the Dhanbad Tribunal and who have now already reached their maximum. In my opinion there is much force in the case advanced on behalf of these workers and they do require a special treatment by being assigned a separate grade looking to the nature of their work.

25. I thus direct that so far as the surface daily-rated workers are concerned, the grades shall be the same as proposed by the management in Ex. M-16 but for those underground the grades shall be unskilled I, unskilled II, Unskilled III, semi-skilled I, semi-skilled II, skilled I, skilled II, highly-skilled I, highly-skilled II. The respective categories to be placed under these grades shall be as per Ex. M-16 (with 3 sheets excepting that those placed in unskilled II in the statement Ex. M-16 shall go under the additional unskilled III and all the categories at serial numbers 4, 5, 6, 8, 9, 10, 11 and 12 under the old grade V-15 in Ex. M-1 shall be placed under the unskilled II.

26. In so far as the wages of these daily-rated workmen are concerned, the management have proposed the same in Ex. M-16 (sheet No. 4) and the workmen have suggested the scales as per appendix III to their statement Ex. U-10. On the point of the increment it is agreed between the parties that the same should be annual as per the rates shown in the employers' statement Ex. M-16 (sheet No. 4)—*viz.* unskilled-5 nP.; semi-skilled—10nP.; skilled—15nP.; highly-skilled 20nP. The scales suggested by the management are comparatively quite fair and proper and some of these are accepted even by the Unions—as for instance those for semi-skilled I and surface unskilled I and Semiskilled II. The only provision required to be made is in the case of the three categories of unskilled underground workers under

the new grades I, II and III as now fixed. The management in Ex. M-16 (sheet No. 4) have suggested for underground unskilled I-1 25/5/1 50 and unskilled II-1. 35/5/1.60. The workmen in the said statement Ex. U-10 appendix III have suggested for unskilled I—1.25—1 50, for unskilled II—1.30—1 55 and for unskilled III—1. 35—1.60. I think this is a helpful suggestion and I direct that the wage scales for the underground and surface daily-rated workmen shall be the same as proposed by the management in Ex. M-16 (sheet No. 4), except for the unskilled I, II and III underground in whose case the scales respectively will be 1.25/5/1.50; 1.30/5/1. 55; 1.35/5/1.60. The female workers shall not be treated differently and they shall be given the same scale as male workers for doing the same work.

27. Thus the existing 26 grades of daily-rated employees have been reduced and reclassified as above and this regrouping has naturally brought about a small reduction here and there either in the existing minimum or maximum. Assuring that the existing wages of any workman would not be reduced in any even while he is being put into the new grade, the management have explained the slight reductions which would inevitably take place in certain cases.

(i) They say in regard to the surface daily-rated workers:—

"In the majority of cases ... 1 nP. is rounded off to the nearest multiple of 5 nP. Thus 31 nP. is rounded off to 30 nP. or 56 nP. to 55 nP. or 69 nP. to 70 nP. The reduction of 1 nP. in the maximum in existing grade numbers Y. 1, Y. 6, Y. 7, Y. 8, Y. 9, X 4, X. 5, and X. 7 which have been reclassified under unskilled II is therefore inevitable. It will be seen that the minimum is raised by 5 nP. Regarding V:6, V-14, U. 1, U. 2, U. 3, U. 4, U. 5, U. 6, U. 7, U. 8, U. 9, and U. 18 which are reclassified under semi-skilled I, the revised wage scale proposed by the management is Rs. 1.15 to 1.55 ... Hence there will be no reduction in maximum in the wage scales of the workmen coming under those categories. Regarding T.1, TII and Signal-men II grade, the reduction in the maximum will be only 1 nP. from Rs. 1 56 to 1 55 which is inevitable. As regards the reduction in the minimum from Rs. 1.25 to 1.15, this is inevitable because these grades are included along with the others under semi-skilled I. The number of people in existing grade Rs. 1.25 to 1.56 is only 127 whereas the total number brought into semi-skilled I is 627. Thus the number of workmen whose minimum would be reduced by 10 nP. would be roughly about a fifth of the total number in that grade, and this reduction will apply only to people who will come into that grade in future and it will not affect the men who are already in the grade; they will not get less than what they are getting. Regarding grades S. 1, S. 2 and S. 12, the existing grade is Rs. 1.31 to 1 69 and the proposed scale is Rs. 1.30 to 1.70. The maximum is raised by 1 nP. though the minimum is reduced by 1 nP. and the existing workmen in the grade will not be adversely affected. Regarding Grades Q 1, Q 3, Q-4 and Q 15 which are put into skilled I, the proposed scale for them is Rs. 1.40 to 2 00. The total number of people in skilled I is 558 whereas the number of people in Q.1, Q.3, Q.4 and Q.15 is only 103. It is only in the case of 103 workmen that the minimum would be reduced by 4 nP. and such reduction will not affect the workmen who are already in these grades. Regarding grades N.1 and M.1 who are reclassified into skilled II, the proposed wage scale is Rs. 1:60 to Rs. 2:20. The total number of employees in skilled II is 329 and the number in NI and M.1 together is only 63. The existing workmen in NI and M.1 will not be adversely affected as their present wages will not be reduced when they are put into the revised scales. Regarding grades J.2 and J.3 who are reclassified into highly-skilled I, the number of men in the two grades is only 15, whereas the total workmen in the highly-skilled I is 242. The proposed scale for highly skilled I is Rs. 1 95 to 2.75. The minimum is raised by 8 nP. over the highest minimum in that classification and the maximum is 19 nP. less than the highest in that classification. Only 15 workmen are affected in this grade as against 227 who will be benefited. The existing workmen in these grades will not be adversely affected as their present wages will not be reduced when they are put into the revised scales. Regarding grades E.1, E.2 and E.3 which are reclassified as highly-skilled III, the scale proposed is Rs. 2.80 to Rs. 3.80, while the present scale is Rs. 2.44 to Rs. 3.81. The minimum is considerably raised by 36 nP. though there is a reduction of only 1 nP. in maximum as it had to be rounded to the nearest multiple of 5 nP."

(ii) As for the underground workmen they say:

"Regarding underground workmen, grades T.16, T.18 and T.19 are reclassified into unskilled II for which proposed scales are Rs. 1.35 to Rs. 1.60 as against the existing highest Rs. 1.25 to Rs. 1.63. The minimum is increased by 10 nP, while the maximum is reduced by 9 nP, but the number of people in scale Rs. 1.25 to 1.63 in grades T.16, T.18 and T.19 is only 84 whereas the total number of workmen reclassified as unskilled II is 1038. Thus though the maximum of 84 workmen would be reduced by 9 nP, the maximum of all the other 954 workmen will be raised by 4 nP. grades E.4 and E.5 are reclassified into highly-skilled II with proposed wage scale Rs. 2.80 to 3.80 as against the existing Rs. 2.44 to 3.81. The minimum is considerably raised by 36 nP, though the maximum is reduced by 1 nP, to round off to the nearest multiple of 5 nP. The proposed scales by the Management are in substance beneficial to the workmen and no existing workman will be prejudicially affected as his existing wage rates will not be changed adversely to him. It is therefore submitted that the classifications and wage scales submitted by the Management in their statement marked M.16 may be accepted. The scales proposed on behalf of the workmen would upset the entire scheme and wage structure and create wide discrepancies and anomalies."

I think the grades and scales directed by me as above together with these explanatory notes on behalf of the management should satisfy the workmen in so far as the daily-rated—underground and surface are concerned.

28. Coming next to the question of the monthly-rated employees they are divided between Office Establishment (clerks etc.) and Works Establishment (Foreman etc.) for whom according to the management different rates of pay are applicable. The Works Establishment is further divided between underground and surface workers. The management in Ex. M-14 (sheet No. 1) have proposed the groupings and monthly-rated of pay as follows:

OFFICE			WORKS		
ESTABLISHMENT			UNDERGROUND		
Old			Old		
Category Scale			Category Scale		
A. Departmental Assistants	A, BX	295-12-415	A2, BX2	320-13-450	A3, BX3 295-12-415
B. Head Clerks, Foremen, 1st grade etc.	B	200-8-280	B2	200-10-300	B3 180-9-270
C. Clerks, 1st grade, Foremen, 2nd grade etc.	C	140-5-190	C2	125-6-185	C3 115-5-165
D. Clerks 2nd grade, Asst. Foremen	D	95-5-125	DX2 D2 EX2	85-5-125	DX3 D3 EX3 80-5-120
E. Clerks, 3rd grade etc.	E	60-5-90			
F. Disc checkers, Head peons.	F	40-4-60			F 40-4-60
G. Peons Midwives	G	25-1-35			
					35-2-55

29. Thus the grades proposed by the management for the monthly-rated are A to C excepting Midwives for whom a separate scale of 35-2-55 is suggested but no grade. All the Unions accept the grades A to F but as for the grade G in respect of peons numbering about 28, they according to the Unions should be placed under the grade F. As regards the Midwives, in all 16, for whom the management have suggested no grade and have proposed the scale of Rs. 35-2-55 which according to the Unions is the existing one, they suggest that Midwives should go under the

grade F. Shri Rao further pointed out that in order to reduce the existing number of scales and grades and for the purpose of regrouping, the management in certain cases have reduced the existing scales of the monthly rated and besides, it will have to be seen as to who out of the old categories should go in the proposed grades A to F. He further pointed out that there are about 45 monthly-rated employees in the Engineering Department (Sanitation) whom the management have now divided in 6 grades which instead should be 4 viz. A 355-15-475, B 150-10-210, C 100-7½-145, D 60-5-90. Shri Ramachar and Shri Thimmayya accepted the grades A to F for the monthly-rated as proposed by the management and they added that the old grade BX should go under the new proposed grade A which in fact has already been done by the management as can be seen in the statement Ex. M-14(1).

30 As regards the scales, the existing grades and scales are as follows:—

Office Establishment	Works Department (Under ground)	Works Department (Surface)
A. 295—12—415	A2. 320—13—450	A3. 295—12—415
BX 288— 8—328	B2. 200—10—300	B3. 180— 9—270
B. 200— 8—280	BX2 310—10—360	BX3 279— 9—324
C. 140— 5—190	C2. 125— 6—185	C3. 115— 5—165
D. 95— 5—135	D2 85— 5—125	D3. 75— 5—115
E. 60— 5 —90		
F. 40— 4 —60		
G. 25— 1 —35		

As against these, the scales demanded by Shri Ramachar's Unions are as per Ex. M-9 i.e.

A. 355—15—475	A2. 320—20—460	A3. 300—12½—425
BX. 355—15—475	B2. 210—15—315	B3. 190—10—290
B. 220—12½—345	BX2. 320—20—460	BX3. 300—12½—425
C. 150—10—210	C2. 130—10—200	C3. 125—7½—185
D. 100—7½—145	D2. 85— 5—125	D3. 80— 5—120
E. 60— 5—100		
F. 40— 4— 60		
G. 40— 4— 60		

As against the existing grades and scales, the scales together with classifications proposed for the new grades A to F by Shri Rao's Unions are as per Ex. U-11—viz A—355-15-475; B—220-12½-345; C—150-10-210; D—100-7½-145; E—60-5-90; F—40-4-60. In criticising the proposed reclassification in Ex. U-11 it was urged on behalf of the management that the same is objectionable as practically every lower grade category is placed in the next higher grade.

31. To me the proposals made by the management in Ex. M-14(1) regarding the grades seem to be more or less reasonable and it is not necessary to abolish the grade G for peons who cannot be placed on par with Head Peons under the higher grade F. What is really required to be done is that while retaining the grade G for peons, a suitable scale should be prescribed and I think instead of the proposed scale Rs. 25-1-35 for peons it should be Rs. 30-2-50. As regards the Midwives, they should be provided with a grade and should be placed under the grade F with a scale of Rs. 40-4-60. Then in the proposed grade D for the Office Establishment, the scale shown in Ex. M-14 (1) is Rs. 95-5-125. Apart from any other considerations, it seems that there is some mistake here and as I understand from the statement earlier filed by the management as well as from the statements of the Unions that the scale for the existing D grade is 95-5-135. In no case thus the maximum should be reduced to Rs 125 from Rs 135

31. In showing the grades and scales as existed at the time of the appointment of the Dhanbad Tribunal, the management have filed the following statement:—

Monthly-rated—Office Establishment

Works Deptt.—Underground

A.	Rs. 295—12—415
B2.	Rs. 288—8—328
B.	Rs. 200—8—280
C.	Rs. 140—5—190
D.	Rs. 95—5—135
E.	Rs. 60—5—90
F.	Rs. 35—4—55
G.	Rs. 20—1—30

A2.	Rs. 320—13—450
B2.	Rs. 200—10—300
BX2	Rs. 310—10—360
C2.	Rs. 125—6—185
D2.	Rs. 85—5—125

Works Department—Surface.

A3.	Rs. 295—12—415
B3.	Rs. 180—9—270
BX3	Rs. 270—9—324
C3.	Rs. 115—5—165
D3.	Rs. 75—5—115

The same grades and scales for the monthly-rated continued after the revision under the award of the Dhanbad Tribunal and under the revision effected with effect from 1-1-1958 practically there has been no change except that the scales of grades F & G were respectively raised from 35-4-55 and 20-1-30 to Rs. 40-4-60 and Rs. 25-1-35. The Dhanbad Tribunal has observed in its award that the grade E was revised to Rs. 60-5-90 (from Rs. 35-4-55) and Mr. Ramachar considered the same to be reasonable—vide paragraph 15—supra. What I find is that was the grade F which was changed from Rs. 35-4-55 to Rs. 40-4-60. Thus no doubt in the proposed regroupings in Ex. M-14(1) some of the categories in the lower grade go in the higher grade but practically the scales have remained the same except with respect to the grades F. & G. To accept in toto the proposals made in the statement Ex. M-14(1) regarding the scales would in effect mean that there is no revision in the scales of the monthly-rated for which the workers have been agitating since the time of the appointment of the Dhanbad Tribunal. Even if therefore we do not cast very heavy burden on the industry by introducing the scales as demanded by the Union, there should be some rise in the minimum and maximum at least by enhancing the same to the extent of one increment.

33. I thus direct that the grades and scales for the monthly-rated employees—office establishment and works establishment (underground and surface)—shall be as proposed by the management in Ex. M-14(1) except with these modifications (1) that the Midwives shall be placed under the grade F with the scale of Rs. 40-4-60 and the grade G for peons shall carry the scale of Rs. 30-2-50; (2) that in the scale shown in Ex. M-14(1) against the grade D—viz. 95-5-125, 125 shall be read as 135; (3) that in all the grades shown in Ex. M-14(1) excepting F & G there shall be a rise by one increment in the minimum and the maximum so that the same shall stand as under:

Office Establishment

A.	Rs. 307—12—427
B.	Rs. 208—8—288
C.	Rs. 145—5—195
D.	Rs. 100—5—130
F.	Rs. 65—5—95

Works Department (Underground)

A.	Rs. 333—13—463
B.	Rs. 210—10—310
C.	Rs. 131—6—191
D.	Rs. 90—5—130

Works Department (Surface)

- A. Rs. 307—12—427
- B. Rs. 189— 9—279
- C. Rs. 120— 5—170
- D. Rs. 85— 5—125

34. The management have made certain proposals in Ex. M-14(1) as to who should go under the new proposed grades and I think for the purposes of classifying the monthly rated employees in the newly proposed grades in Ex. M-14(1) the management shall further consult the Unions so as to obtain a maximum agreement on the point. As regards the Electricity Department and the Power Station, it is agreed that there should be the same grades and scales for similar categories as in Mines and for the remaining categories who do not fit in, the parties have further agreed that they will negotiate and come to a settlement regarding the daily-rated and monthly-rated both underground and surface.

35. The questions then remaining for consideration are regarding the retrospective effect and the method of adjustment in the new grades. Shri Rao's Unions contended that the retrospective effect should be given from 16-9-1954 as agreed before the Labour Appellate Tribunal and in no case later than 1-1-56 the date on which the then management unilaterally revised the wages. On behalf of Shri Ramachar's Unions it was urged that they agitated for increments in January, 1952 and so the retrospective effect for the monthly-rated should be given from that time or atleast from the date of the award of the Dhanbad Tribunal. The management on the other hand pointed out that the wage scales as now fixed for the monthly-rated and daily-rated employees should be effective from the date of the award, as otherwise a heavy initial burden would be cast which the Undertakings cannot bear, particularly when the State has taken over the Undertakings only from 29th November, 1956. In the matter of retrospective effect, one important factor not to be lost sight of is that this is not a case where nothing has been done in the past in the matter of the revision of the workers' wages. Prior to the award of the Dhanbad Tribunal the then management had made revisions in different years and after the report of the Pay Commission appointed by the then Mysore Government which recommended a flat increase of Rs. 5 Dearness Allowance was raised under the agreement above referred to and the object was indirectly achieved. Then there was a revision as per directions in the award of the Dhanbad Tribunal and further revision with effect from 1-1-1956 as unilaterally done by the then management. It would therefore be improper to allow any such retrospective effect as asked for on behalf of the workers and I think it would be in the fitness of things if the retrospective effect is given from the date on which the current financial year of the undertakings commences—viz. 1-4-1958.

36. In the matter of adjustment there cannot be any point to point adjustment and it shall be on the line laid down in paragraph 23 of the decision in the case of Caltex (India) Ltd, 1952 II L.L.J. 183 at 188 and in adjusting the workers in the new grades no one shall be adversely affected in his existing wages. The past differences which may become payable on adjustment in the new scales shall be paid within two months of the award becoming enforceable. The promotion to the higher grade shall be given from amongst the existing suitable workmen in preference to any outsiders.

37. Lastly I may refer to the point raised by Shri Ramachar regarding the service rule No. 6. This is one of the rules pertaining to the schedule of daily-wage rates which is in force since before the nationalisation and it provides that "an employee whose service with the company has been voluntarily or otherwise terminated shall if re-engaged be regarded as a new employee for the purpose of this schedule". Apparently when the termination of the services of an employee takes place, there is a break and on re-employment he cannot fall back upon the past services as if the same were continuous and never terminated. In any case no such point directly arises under the terms of the present Reference and I am thus unable to give any direction in respect of the same.

38. The copies of the statements Ex. M-14 (with sheet No. 1) and M-16 (with four sheets) are appended hereto respectively as Appendix I and Appendix II for ready reference. I am really grateful for the kind assistance given and willing co-operation extended by the representatives of the Unions as well as the management.

Dated: 15th September, 1958.

(Sd.) P. D. Vyas,

Judge, Central Government Industrial Tribunal.

APPENDIX I

Copy of the Statement Ex. M-14 (Sheet one)

GOVERNMENT OF MYSORE

THE KOLAR GOLD MINING UNDERTAKINGS

Monthly Rated Employees

1. Monthly rated employees are first divided between office Establishment (Clerks, etc.) and Works Establishment (Foremen, etc.) for whom different rates of pay are applicable.

2. The Works Establishment is further divided between underground and surface workers as for daily rated employees.

3. The proposed groupings and monthly rates of pay are as follows :—

	OFFICE		WORKS			
	ESTABLISHMENT		UNDER ROUND		SURFACE	
	Old category	Scale	Old category	Scale	Old category	Scale
A [Departmental Assistants	A, BX.	295—12—415.	A2, BX2	320—13—450.	A3, BX3.	295—12—415.
B [Head Clerks, Foremen, 1st grade etc.	B	200—8—280.	B2	200—10—300.	B3	180—9—270.
C Clerks, 1st grade, Foremen, 2nd grade etc.	C	140—5—190.	C2	125—6—185.	C3	115—5—165.
D Clerks 2nd grade, Asst. Foremen.	D	95—5—125.	} DX2 } DX } EX2	85—5—125.	} DX3 } DX } EX3	80—5—120.
E Clerks, 3rd grade, etc.	E	60—5—90				
F Disc. checkers, Head Peons.	F	40—4—60			F	40—4—60
G Peons	G	25—1—35				
Midwives						35—2—55.

Sd/-

Managing Director,

The Kolar Gold Mining Undertakings.

APPENDIX II

Copy of Ex. M-16 with 4 sheets

GOVERNMENT OF MYSORE

THE KOLAR GOLD MINING UNDERTAKINGS.

Revision of Categories of Daily Rated Employees

UNDERGROUND						SURFACE				
Grade	Serial No.	No. of employees	Existing rate of pay	Average Maximum	Grade	Serial No.	No. of employees	Existing rate of pay	Average Maximum	
			Rs.	Rs.				Rs.	Rs.	
Unskilled (Women).	..	..			AB	1 598		0.75—0.87	0.87	
Unskilled I	W 1, 2, 3 V 15—18, 21, 22.	1—3 4—15, 18, 19.	131 495	1.25—1.50 1.25—1.50	1.50	Z 1—4	3—6 1972	1.00—1.25	1.25	
Unskilled II	U 10, 11, 13— 17. T 16, 18, 19. Machinery Attendant 3rd.	20, 21 23—27 28—30 22	840 84 114	1.25—1.56 1.25—1.69	1.57	Y 1, 6—9 X 4, 5, 7 Machinery Attendant 3rd.	7, 12—15 19, 20, 22 8, 9 10	1.00—1.31 1.00—1.31	1.31	
Semi-skilled I	T 15, 21 S 6, 7, 10 Machinery Attendant 2nd	34, 31 30, 37, 40, 59	1284 206 10	1.25—1.69 1.31—1.75	1.70	X2 V6, 14 U 1—9, 18 T 1, 11, 13 Machinery Attendant 2nd.	17 29, 37 39—49, 53 50, 50, 52 25—28, 51 52.	3 81 257 127 159	1.00—1.31 1.12—1.37 1.19—1.44 1.25—1.50	1.48

Semi-skilled II .	R 11—13, Q 14 S 5 R 9, 10, 14	53—55, 64 35 43—52, 149 56	104 82 1491	1.37—1.87 1.31—1.75 1.37—1.87	T 4—10, 20 S 1, 2, 12	53—59, 63, 64, 65, 69	257 75	1.25—1.56 1.31—1.69	1.60
Skilled ,	O 7—13 P 1 O 8	57—63 65 67	976 9 8	1.44—2.00 1.50—2.12 1.56—2.19	2.00 S 11 R 1—8 Q 1, 3-4, 15	68 70—72, 74—77, 78, 80-81, 84 66, 67, 83	3 392 103 60	1.31—1.69 1.37—1.87 1.44—2.00	1.90
					Machinery Attendant Ist.				
Skilled II	M 2—5, 7	65—72	438	1.69—2.37	2.37 R 15, Q2, 5() 1-6 N 1 M 1.	73, 79, 82, 46 82—92 92, 92 57 6	22 198 1.62—2.31 1.69—2.37	1.37—1.87 1.44—2.00 1.56—2.19 1.62—2.31 1.69—2.37	2.17
Highly skilled I	K 1—3 H 1	73—75 76	298 3	1.81—2.87 1.94—3.00	2.87 L 1—5 J 2, 3	94 98 102	227 15	1.75—2.75 1.87—2.94	2.75
Highly skilled II	E 4, 5	77, 78	123	2.44—3.81	3.81 L 6 G 1	99 103 104, 105	46 16 84	1.75—2.75 2.00—3.12 2.12 3.31	3.10
Highly skilled III	..	..	..	..	E 1—3	106—8	74	2.44—3.81	3.81

Oorgaum, 30th April 1958.

Sd/-
Managing Director,
The Kolar Gold Mining Undertakings.

REVISION OF CATEGORIES OF DAILY RATED EMPLOYEES

NOTES

It is agreed that the following grades in the old wages schedule be abolished and men in these grades will be reclassified as follows :—

UNDERGROUND				Reclassified with :		
Old Grade	S. No.	No. of employees	Grade	Serial No.	Category	
V. 20	17	5	V. 15	4	U S I	
V. 19	16	86	T. 21	31	S S I	
U. 12	22	114	Machinery attendant 3rd		U S II	
T. 14	32, 33	79	S. 10	40	S S I	
S. 9	39	10	Machinery attendant 2nd		S S I	
S 8*	38	240	T. 15*	34	S S I	
O 7†	66	53	Q. 9†	59	S I.	

*Machine men breaking ground (T. 15) will be paid 5 nP. extra per day on basic wages when employed on shaft sinking.

†Machine mestrries, breaking ground (Q.9) will be paid 20 nP. extra per day on basic wages when employed on shaft sinking.

Surface				Reclassified with :		
Old Grade	Serial No.	No. of employees	Grade	Serial No.	Category	
Y. 4, 5	10, 11	8	V 6	29	S S I	
Y 2, 3	8, 9	10	Machinery attendant 3rd		U S II	
X 6	21	4	U8	48	S S I	
X 3	18	3	U9	49	S S I	
X 1	16	4	T13	62	S S I	
V 10-13	33-36	76	T6-9	55-58	S S II	
V 8, 9	31-32	2	T4, 5	53, 54	S S II	
V 7	30	3			S S I	
V 2-5	25-28	102	Machinery attendant 2nd		S S I	
V 1	23, 24	23	T 1	50	S S I	
T 12	61	0	No men in grade			
T 2, 3	51, 52	57	Machinery attendant 2nd		S S I	
S 3, 4	66, 67	32	Machinery attendant 1st		S I	
Q 6	83	28				
M 6	93	0	No men in grade.			
K 4	100	0	No men in grade			
J 1	101	8			H S I	

Oorgaum, 30th May, 1958.

(Sd.)
Managing Director,
The Kolar Gold Mining Undertakings.

KILAR GOLD MINING UNDERTAKINGS

DAILY RATED EMPLOYEES

Proposed Scales of Wages—Rs. and nP.

	Underground	Surface
Unskilled (Women)		0.75/5/0.90
Unskilled I	1.25/5/1.50	1.00/5/1.25
Unskilled II	1.35/5/1.60	1.05/5/1.30
Semi-skilled I	1.40/10/1.80	1.85/10/1.55
Semi-skilled II	1.50/10/1.90	1.30/10/1.70
Skilled I	1.60/15/2.20	1.40/15/2.00
Skilled II	1.80/15/2.40	1.60/15/2.20
Highly skilled I	2.20/20/3.00	1.95/20/2.75
Highly skilled II	2.80/20/3.80	2.40/20/3.40
Highly skilled III		2.80/20/3.80

Annual increments :	Unskilled	5 nP.
	Semi-skilled	10 nP.
	Skilled	15 nP.
	Highly skilled	20 nP.

(Sd.)

Managing Director,

Oorgaum 30-5-1958.

The Kolar Gold Mining Undertakings.

[No. LR11/57-1(5)/56.]

K. D. HAJELA, Under Secy.

New Delhi, the 25th September 1958

S.O. 2043.—In pursuance of Sub-clauses (1) and (4) of clause 4 of the Madras Dock Workers (Regulation of Employment) Scheme, 1956, the Central Government hereby appoints Shri G. V. Ayyar, I.C.S., Chairman, Madras Port Trust, Madras, with effect from the forenoon of the 15th September 1958, as a member of the Madras Dock Labour Board and also nominates him as the Chairman of the said Board, in place of Shri K. N. Srinivasan, and directs that with effect from the said date, the following further amendment shall be made in the notification of the Government of India in the Ministry of Labour No. S.R.O. 2377 [MDLB(2)/56] dated the 23rd October, 1956, namely:—

In the said notification, for the entry "Shri K. N. Srinivasan, Officiating Chairman" in the two places where it occurs, the entry "Shri G. V. Ayyar, I.C.S., Chairman" shall be substituted.

[No. Fac-76(23).]

S.O. 2044.—In pursuance of the provisions of paragraph 20 of the Employees' Provident Fund Scheme, 1952 framed under section 5 of the Employees' Provident Funds Act, 1952 (19 of 1952), the Central Government hereby appoints Shri V. Prasad as Regional Provident Fund Commissioner, for the whole of the Union Territory of Delhi vice Dr. B. R. Seth.

Shri V. Prasad shall work under the general control and superintendence of the Central Provident Fund Commissioner.

[PF.I/31(307)58.]

New Delhi, the 29th September 1958

S.O. 2045.—In exercise of the powers conferred by sub-section (1) of section 13 of the Employees' Provident Funds Act, 1952 (19 of 1952), the Central Government hereby appoints Shri M. Chandrasekhar Aradhya to be an Inspector for the whole of the State of Mysore for the purposes of the said Act and of any scheme

framed thereunder in relation to an establishment belonging to, or under the control of, the Central Government or in relation to an establishment connected with a railway company, a major port, a mine or an oil field or a controlled industry.

[No. PF-I/31(465)/58.]

S.O. 2046.—Whereas immediately before the Employees' Provident Funds Act, 1952 (19 of 1952), became applicable with effect from the 1st November, 1952, to the factory known as M/s. Jyoti Limited, Post Chemical Industries, Baroda-3, there was in existence a provident fund common to the employees employed in the factory to which the said Act applies and the employees in their Sales Office, Jyoti Ltd., Lotus House, Marine Lines, Bombay;

Now, therefore, in exercise of the powers conferred by section 3 of the said Act, the Central Government hereby directs that the provisions of that Act shall also apply to the said Sales Office of the factory situated at Bombay.

[No. PF.II-9(34)/58.]

S.O. 2047.—In exercise of the powers conferred by section 3 of the Employees' Provident Funds Act, 1952 (19 of 1952), the Central Government hereby makes the following amendments in the notification of the Government of India in the late Ministry of Labour, No. S.R.O. 1703, dated the 24th July, 1956, namely:

In the said notification, the words and figures

- (i) "National Tobacco Company India Ltd., Agarpara, 24-Paraganas,"
- (ii) "Head Office at 1 and 2 Old Court House Street, Calcutta", and
- (iii) "1 and 2 Old Court Road, Calcutta" shall be omitted.

[No. PF.II-57(29)/57.]

BALWANT SINGH, Under Secy.

MINISTRY OF INFORMATION AND BROADCASTING

New Delhi, the 25th September 1958

S.O. 2048.—In exercise of the powers conferred by the proviso to Article 309 of the Constitution, the President hereby makes the following rules regulating the method of recruitment to the post of Programme Executive, All India Radio namely:—

Short Title.—These rules may be called **Broadcasting Stations, All India Radio Recruitment Rules, 1958.**

Method of Recruitment.—Recruitment to the post of Programme Executive, All India Radio shall be made in accordance with the provisions contained in the enclosed schedule.

Recruitment rules for the post of

Name of post	No. of posts	Classification	Scale of pay	Whether selection post or non-selection post	Age limit for direct recruits	Educational and other qualifications required	Whether age and educational qualifications prescribed for the direct recruits will apply in the case of promotees	Period of probation, if any	Method of rectt. whether by direct rectt. or by promotion or transfer & percentage of the vacancies to be filled by various methods	In case or rectt. by promotion/transfer, grades from which promotion to be made	If a DPC exists what is its composition	Circumstances in which U. P. S. C. is to be consulted in making rectt.
1	2	3	4	5	6	7	8	9	10	11	12	13
Rs.												
3. Programme Executive.	262	G. C. S. Class II Non-Gazetted Non-Ministrial.	250—15—400—EB —20—500 —500—EB—20—600.	Selection	*Between 21 and 30 years.	Essential (1) Degree of a recognised University. (2) Intimate knowledge of the literature of at least one Indian language (3) Knowledge of India's cultural heritage and of different forms of cultural and artistic expression in the country (Evidence of published work	No.	2 years	By prom. 25 per cent By direct recruitment 75 per cent.	Promotion :— Transmission Asstts. since being designated as Transmission Executives, with at least 6 years' service in the grade.	Class II D. P. C.	As required under the rules.

1	2	3	4	5	6	7	8	9	10	11	12	13
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to be furnished).

(4) Experience evincing ability and capacity for organisation and in public relations work.

(5) Knowledge of current affairs.

(Relaxation Clause)

Desirable

(1) Fair knowledge of Hindi.

(2) Experience of production of plays : features, musical items, literary talks etc.

(3) Knowledge of an additional Indian Language and/or Literature.

(4) Administrative and/or Office experience.

*Relaxable for Government servants and Scheduled Castes/Tribes candidates in accordance with the orders issued by the Ministry of Home Affairs from time to time.

[No. 11(17)/57-B(A).]

C. B. L. MATHUR, Under Secy.